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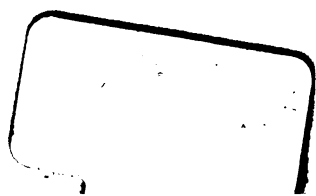
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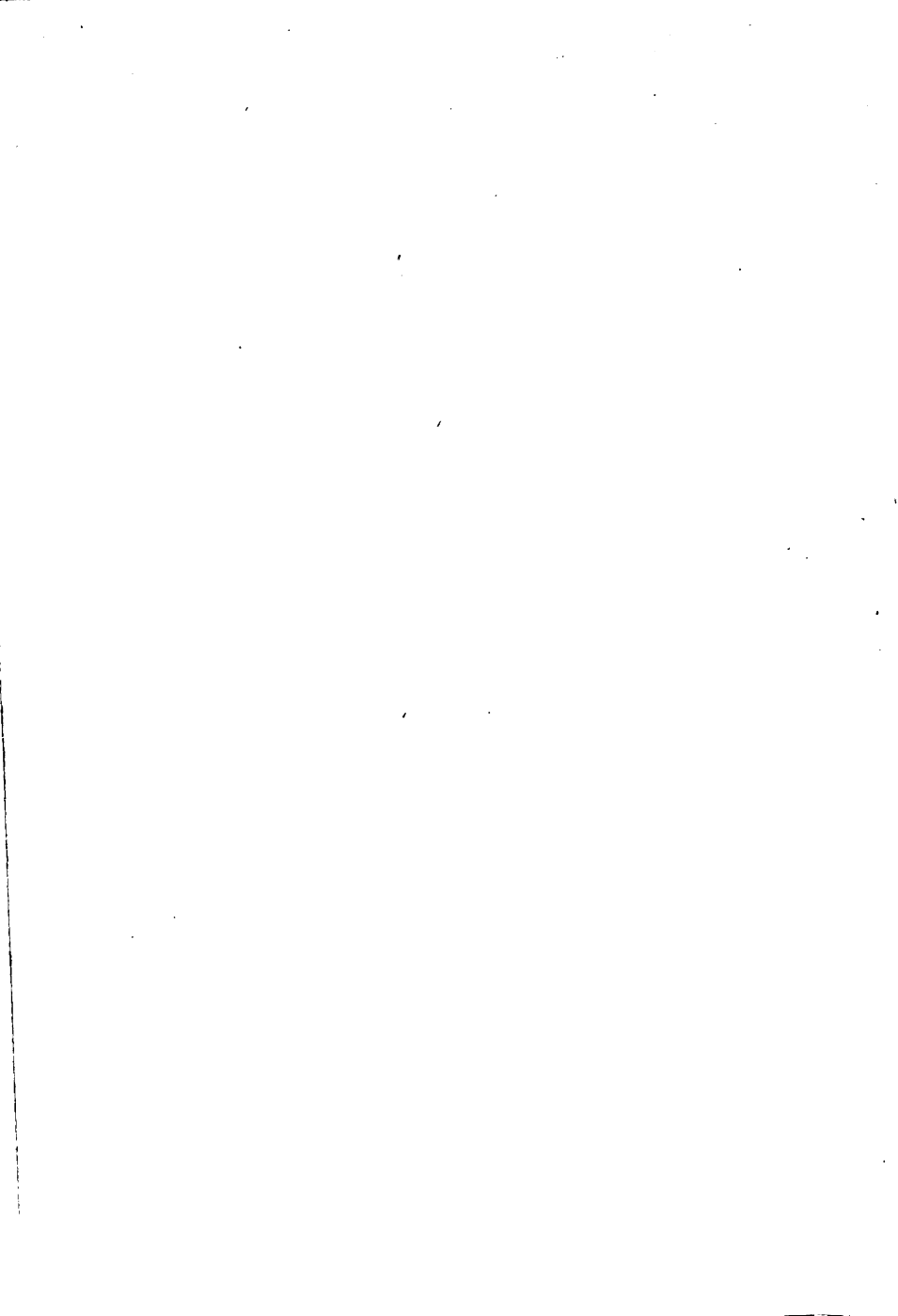
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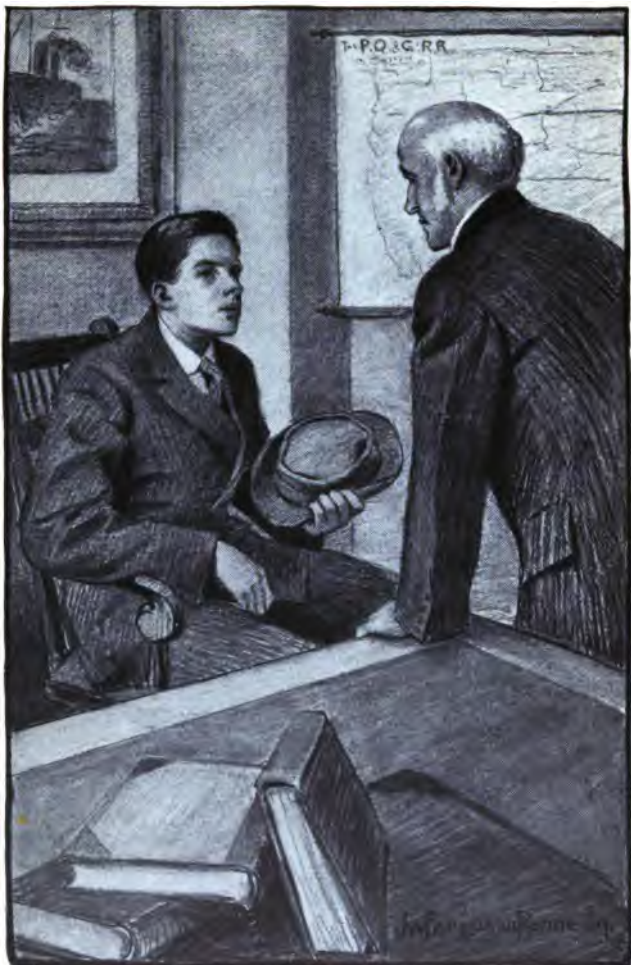


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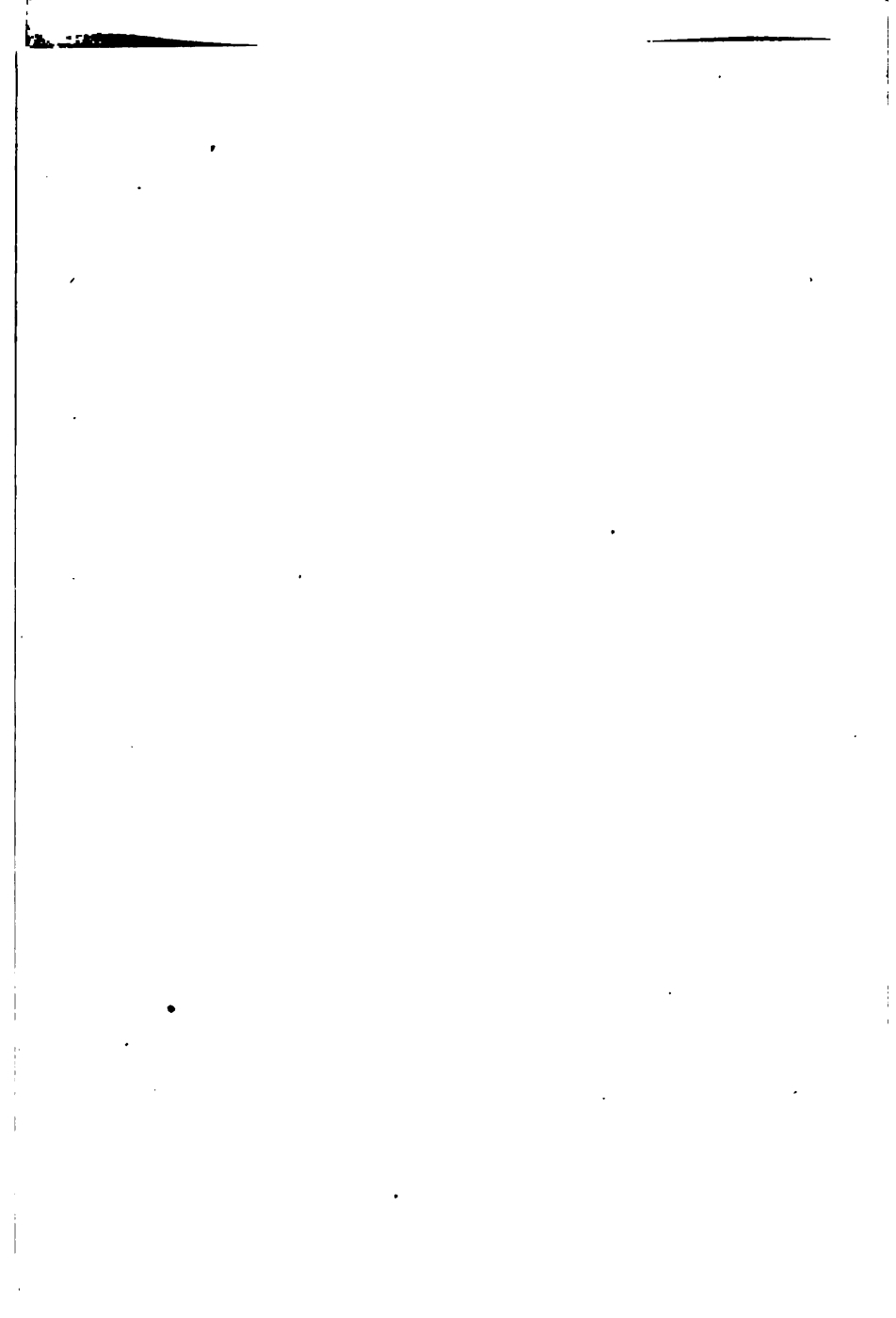
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“‘HUNT OUT JACK AND BRING HIM BACK TO US’”  
(See page 237)







# THE P. Q. & G.

OR

"AS THE TWIG IS BENT THE TREE'S INCLINED"

BY <sup>for</sup> ~~1845~~ 1845-1916  
EDWARD S. ELLIS, A. M.

AUTHOR OF

"THE LOST DRAGON," "FROM LOW TO HIGH GEAR,"

"LUCKY NED," "OUR JIM," "PLUCKY JOE," "PA-

TRIOT AND TORY," "STANDARD HISTORY

OF THE UNITED STATES," ETC.

Illustrated by

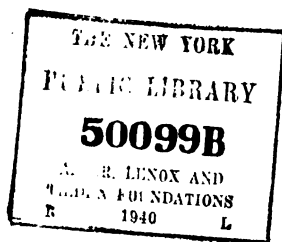
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6.11.1939



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# THE P. Q. & G.

OR

"AS THE TWIG IS BENT THE TREE'S INCLINED"

## CHAPTER I

### ONE SUMMER AFTERNOON

THE first time I saw Percy Algernon Raymond was when he was between four and five years old. It was at the great struggle for the base ball championship between the Invincible and Columbia clubs. As you may remember, this contest was marked by an exploit, which has not been seen more than twice in the history of our national game.

The sky was so overcast on that afternoon late in summer, that the majority of patrons thought the game would not be played. They stayed away and thereby missed the treat of their lives. I reached the grounds while the respective clubs were limbering up by preliminary practice, found my favorite seat in the grand

stand, lit a cigar, took out my score card and pencil and watched the athletes, as they batted, caught and threw the ball, most of their work being so good that it won applause from the few hundred spectators. Since the sun remained hidden, and the threatening rain did not fall, the day proved a perfect one for the game,—ideal in every respect, for there was no crowding with the attendant disorder, which often mars one's enjoyment. I remember that my own bench, and several others capable of holding a dozen persons, had only one or two occupants.

It lacked a quarter of an hour of the time for the exciting work to open, when a middle-aged man began picking his way up the steps of the tiers of seats. He led a small boy by the hand, and was looking for a choice seat. The youngster, who manifestly was his child, was well dressed, with a broad-brimmed hat, which turned up at the rim, the crown being encircled by a red ribbon which was tied in a big knot, and fluttered down over his extravagantly wide collar. His legs were bare from the knees to within two or three inches of the shoe tops, where the space was bridged by an expanse of white stocking. The wide belt, fastened with an enormous gilded

buckle, spanned his body at the hips, instead of at the waist, and all his clothing was starched stiff and of spotless white.

The father, after a minute's scrutiny, fixed upon the seat in front of me.

"I guess this will do, Algy," said he, gently trolling the little fellow forward. But he petulantly held back and whined.

"I don't like that seat; I won't have it."

"Very well, which one do you like?"

"I want *that* place."

He pointed toward me. As is often the case with children of his age, the wabbling finger indicated the roof of the grand stand, but he unmistakably meant me, and the eyes of the hopeful were fixed upon my face. I impulsively shifted to one side, and the next moment was disgusted with myself for having done so. The boy backed up into the seat, with the help of his parent, who sat down beside him.

"Now, Algy, thank the gentleman for his kindness."

But Algy gave no sign of having heard the suggestion. The father circled his arm around the neck of the boy, and would have hugged him tight for the remainder of the afternoon had not

the youngster impatiently flung off the inclosing arm. I couldn't blame him for that, since the air was close and such an imprisonment must have been anything but pleasant. His parent tenderly removed the pretty hat and laid it on his lap. Then he turned his head and beamed upon me.

"He's the most remarkable boy you ever saw; he's always saying something bright; nobody ever knew his equal — what's that, Algy?"

The latter had extended his arm toward the ball field, but the forefinger now pointed downward. The parent knew the attention of the youngster had been caught by a young Hercules in uniform, who was standing at the home plate and knocking the ball far afield, for the benefit of the racing players. Algy had made some remark which his father did not catch. He bent his ear in front of the lad's face and asked him to repeat the words. The instant the elder heard them, he threw back his head and roared so loudly that his hat fell off.

"Did you ever hear anything like him?" he asked of me, as soon as he could command his voice; "what do you suppose he said?"

"I haven't the remotest idea."

"He said that man must be mad at the ball, because he struck it so hard. Oh, Algy will be the death of me!"

And the proud parent went off into a spasm of laughter again. I partially joined in his merriment, but it was the father by whom I was amused.

Other spectators began straggling into their seats. I shoved farther to one side to make room for a young man, who was much interested in the actions of the players. He and I had met several times, and we nodded though neither knew the other's name. Then a sturdy little boy, apparently about the same age as Algy, plumped down into the seat which the other had rejected a short time before.

"Get up! I want that seat!" whined Algy, rising to his feet and spitefully shoving his hand against the shoulder of the other boy, as an order for him to vacate the place.

"What are you doing?" angrily demanded the newcomer, turning his head like a flash and glaring at him.

"That's my seat; git up!" commanded the young tyrant, who was pushing round the end of the tier.

"Why, Algy, you mustn't talk that way; don't you know it is naughty? Ask the little boy as you should, and he will be glad to give you his seat."

"I won't ask him; I want that place and he's got to give it to me; git up!" and he shoved the shoulder of the other lad, who sprang to his feet and faced him.

"If you push me again, I'll punch your head off!" was his shocking warning.

"O my! my! don't talk so dreadfully," protested the father; "don't you see that my little boy wants that seat? Why don't you show yourself a gentleman and give it up to him?"

"It ain't his seat; it's mine and I'm going to keep it — look out!" added the plucky youngster, as he doubled up his chubby fist; "if you touch me, I'll soak you!"

"Did you ever see such a barbarian?" asked the parent, turning to me and gently drawing his boy back to his place; "I ought to take that young savage by his neck and teach him manners."

"I advise against it," I replied; "it's your own child that needs to be taught manners. The boy in front is entitled to his seat, and if he gives

it up on the demand of your spoiled pet he will prove that he is as great a fool as I was a few minutes ago."

I cannot describe the contempt of the father at my words. Several gentlemen had seated themselves near us and showed a smiling interest in the incident. The young man nearest me leaned forward and asked of our young hero:

"What's your name, please?"

"Merle Burton," replied the little fellow with a blush.

"Here's my card; if you ever want to come to a ball game and find you haven't the price, let me know, and you shall have the best reserved seat in the grand stand. Can you read, my little man?"

"A little — thank you very much."

"You are holding the card upside down," added the young man with a smile.

"It looks the same to me," replied Merle Burton, with a laugh which displayed his fine teeth; "I'll show it to mother when I go home and tell her what you said," and the handsome little fellow shoved the bit of pasteboard in his pocket.

"My young friend, always be kind and oblig-

ing; help others when they need help, but never fear to stand up for your rights. If that young nuisance had asked you for your seat, as a gentleman ought to ask, you would have let him have it — ”

“ No, I wouldn't either; he got here before I did, and why didn't he take it then? ” broke in Merle Burton, to the amusement of several of us listeners.

“ I guess you're right, ” remarked my speaking acquaintance; “ but the game is about to begin and let's all give attention to that. ”

It was a sensible suggestion and was followed, though Algy held back awhile and pouted. He was on the point more than once of striking the sturdy boy in front of him and would have done so, with disastrous consequences to himself, had not his parent restrained him. The moods of children are as variable as the spring skies, and in a few minutes the ripple had passed, and all of us, including the two little fellows, were watching the movements on the ball field. The captains had called the players in and conferred with the umpire, who announced in a loud, husky voice the names of the respective batteries to the



crowd, and the interest of the spectators became one of tense expectancy.

It was at this absorbing moment that Algy made a remark in his drawling voice, which no one heard except his father. He exploded again with merriment, and while his shoulders were still bobbing up and down, he called to those around him:

"Did you hear that? It beats anything in *Harper's Magazine*."

Since no one seemed to be impressed, the delighted parent enlightened us.

"Algy said of the man who is acting as umpire that he must be the father of all the rest. Ha! ha! haw! haw! Algy, you'll be the death of me sure."

He pressed a hand against his side, as if from a kink. My young friend looked at me and gravely winked. Merle Burton turned his head, and with a look of disgust said:

"Say, Pug Nose, you can have my seat if you'll only stop talking; don't you know the rest of us want to see the game?"

Neither Algy nor his father noticed this impudent request which expressed the sentiments of

every one else. The boy evidently felt no interest in the superb contest that was going on under his own eyes, unlike Merle Burton, who astonished us by his knowledge of the game, and amused us by his boisterous interest. He sprang to his feet, shouted and swung his hat when the Invincibles made a fine play, and was glum when it was offset by equally brilliant work on the part of the Columbias. There could be no doubt of which side held his sympathies. He knew the names of all the Invincible players, and when one strode to the bat, he vehemently begged him to "hit the ball on the nose," "line her out," "kill the ball," "give us a homer," etc., etc.

It was at one of the most thrilling crises of the struggle, when the hush resting upon the grand stand and bleacheries was as if every spectator was holding his breath, that Mr. Raymond — as I afterward learned his name was — turned his beaming face toward us.

"You'll die laughing when I tell you what Algy said just now — "

"Please don't tell us till the end of the game," interrupted my acquaintance, who added in a lower voice, "then we shall have time to get out of hearing."

"All right," added the unsuspecting father; "don't forget to remind me."

Ten minutes later came the situation, from which was evolved the unprecedented play that none of us who witnessed it ever expect to see again. I have referred to it elsewhere, but it will bear repetition.

It was thus: the Columbias were at the bat. Every base was occupied and not a player was out. The Columbias were two runs behind, and, as will be seen, if the men on the bases could be brought in, they would be ahead, with a good prospect of securing still more runs. Without dwelling upon that memorable scene, and the almost intolerable suspense that held the spectators, I shall merely tell what followed.

The captain of the Columbias had signalled to the runners to leave the bases — of course at their utmost speed, the instant the ball was caught in the outfield, taking the desperate chance of one or more advancing a corner. Naturally all the fielders were playing close in.

The batter made a quick, vicious strike at the first ball pitched, which was fairly over the plate. He caught it on the end of his bat, and the impact sounded like the crack of a pistol. I saw the

sphere speed like an arrow over the head of the second baseman, who vainly jumped into the air to intercept it. It went straight into the hands of the centre-fielder, who was not obliged to stir a foot. It seemed as if in the same instant the ball was hit it was clasped in the horny palms of the fielder. The batter made a dive for first base, but seeing what had occurred, he sheered to the right, stopped running, and with his feet far apart and his arms akimbo, watched the wonderful performance that unfolded with dizzying swiftness.

In a flash the centre-fielder poised himself and hurled the ball with the accuracy and almost the quickness of a rifle shot to the catcher, who bestrode the home plate. He turned and touched the man dashing in from third, while still several feet away. This runner of course was the second man out — the batter having been the first. The catcher shot the ball to third in time to nip the runner trying to slide in from second. This completed a triple play and retired the side.

In the lightning-like flurry, the runner on first base was rattled. Instead of starting on the instant the ball was caught, he hesitated for a moment and then dived at headlong speed for

second. He was half way thither, when the baseman there received the ball from third and calmly touched the runner from first as he plunged toward him. Admitting the possibility of such a thing, four players were retired and a quadruple play was completed — an exploit which until then had never been heard of, and which, so far as I know, has never been repeated except in a single instance.

Amid the pandemonium which broke loose, it seemed that the wildest man in the grand stand was Mr. Raymond. He sprang in air, swung his hat and shouted himself crimson in the face. Turning toward me, he called something, which in the deafening din I did not catch. Then he strode across the intervening space and leaning over fairly shrieked:

“When that man on first was a little late in starting, Algy said to me: ‘It ain’t fair; he didn’t have the same start as the others; he ought to win ’cause he ran faster than they did.’ Isn’t he the cutest chap that ever lived? he! he! haw! haw!”

## CHAPTER II

### A SPLENDID JOKE

As the excitement died down, the crowd began slowly filing out of the grounds, everybody talking about the wonderful play, which brought the championship for that year to the Invincibles. Young Algernon Raymond was picking his way down the steps in front of his father, when he tripped and tumbled to his hands and knees. His hat fell off and he announced his sentiments by bawling so loud that general attention was drawn to him. The alarmed parent made a dash to the help of his offspring, but quick as he was, Merle Burton was quicker. Seizing the arm of the prostrate youngster, he fairly lifted him to his feet with one hand, while with the other he caught up his hat and clapped it on the crown of Algernon, hindside front, and brushed the dust from his snowy suit.

"There! don't be a baby; what's the use of crying? You won't feel it to-morrer."

"Then — I won't cry — to-morrer," blubbered Algernon.

This was the brightest remark the little fellow was ever known to make. In the circumstances, it would have caused a convulsion of appreciation on the part of the parent, but he was too distressed by the mishap of the child to note his reply. He caught up the boy in his arms, adjusted his hat, patted his back and hugged him to his breast.

"My darling lamb! Did he hurt himself? The mean step to make him cry!"

Whereupon the father turned and kicked the projection several times. It is not to be supposed that much damage was done, but the boy received a lesson on the loveliness of revenge as a cure for injury suffered.

Merle Burton, with a comical expression on his handsome face, called out:

"Say, Pugsy, try laughing; it'll do you more good than crying; when I fall down, my father nor mother never picks me up; I have to do it myself; *laugh!*"

It may have been that the novelty of the advice appealed to Algernon, for while still in the arms of his parent, who was trying to soothe him, and

with his face contorted and the tears running down his cheeks, he suddenly twisted his mouth into a curious grin and chortled. While it may be said he was successful, none the less he failed in an artistic sense. A boy who is crying with the upper and laughing with the lower part of his face makes a funny picture. The dozen or so who had lingered grinned and resumed their way down the steps and between the seats. Finally all passed through the gates and dissolved into the great world outside and scattered to their various homes.

I have thought it well thus to introduce Alger-non Raymond and Merle Burton, for the two have much to do in the pages that follow. As you have noted, their first meeting was on the ball grounds, when they were of tender years. The interview came near ending in a fight, but closed with an act of chivalry on the part of Merle Burton, that was admired by all who saw it. One of the sweetest traits of childhood is that as a rule it is not revengeful; smiles follow tears, and the receiver of an angry blow is ready to forgive him who struck it, before the pain of the hurt has gone. Likely the two saunter off with their arms around each other's neck, ready to make



common cause against any enemy, who probably a half hour later becomes their ardent ally.

There was more than one striking similarity in the lives and careers of the two youths whose acquaintance you have made. Each was an only child and their parents were in comfortable circumstances. The incident related has shown that in one case the father and mother were wise and in the other foolish, and the respective methods of training their sons were followed by the inevitable results. It takes the hard knocks which the world never fails to give to drive out the nonsense implanted in many a boy and girl by the faulty training at home.

Merle Burton's parents were religious and their boy lisped his prayers at his mother's knee before he could grasp the full meaning of a Heavenly Father. He learned to hate evil and to love good, — to be truthful, honest, respectful and chivalrous; to maintain his rights, to aid and protect the helpless, and to rely under heaven upon himself. His declaration that when *he* fell down, he had to get up himself, was the key to the system of education in his home. If he became involved in a fight, he was compelled to make a full report. If blamable, he was punished; if not, he was

commended. I am compelled to admit that Merle felt the heavy hand of his father more than once because of his offences in that direction. Had he struck Algy Raymond during their first dispute, he would, as in duty bound, have told his parent, who in turn would have trounced him for the act.

Perhaps you have met the silly father of which Mr. Raymond was a type. No one can convince him that his boy is not the smartest child ever born. He repeats his pointless sayings, as specimens of precocious wit, to patient listeners, whom he expects to applaud. The same incident is told over and over again until one's patience is worn to the last shred.

"Did I tell you what Algy said the other night, when his mother was preparing him for bed?"

"I am quite sure you did."

Ignoring the reply, the father repeats: "She told him to repeat his prayer, not only for himself, but for me and his mother. Algy said, 'I think father is big enough to say his own prayers.' Wasn't that cute?"

"Perhaps so, but this is the third time you have told the story."

The father walks away beaming with pride, and there is no guarantee that he will not repeat the same anecdote the next time he meets his friend.

Algy had to reap as his parents had sown. All his playmates called him "Pugsy" and the rough usage at school drove a good deal of nonsense out of him; but little of such treatment would have been necessary except for his wrong home training. I have said that a remarkable mingling of the lives of the two boys followed their first meeting at the ball grounds. A few years later, they were members of the same class in one of the public schools. Both were mentally bright and stood well in their studies. When Algernon insisted upon Merle yielding his rights in a hot dispute at recess on the playground, it promptly developed into a fight in which Algy was badly worsted. On the way home after school dismissal, Algy was goaded by a bully into a passionate resistance in which he would have been cruelly beaten had not Merle rushed to his defence and given the tyrant a lesson which he remembered for many a day.

Algy told his parents nothing of the affair, but

Merle, as usual, gave a truthful account of all that had taken place. His father listened gravely to the end and said :

“ You did wrong in fighting the boy who is not your equal, but I think your defence of him when attacked by the bully offsets that wrong, and we'll call it quits.”

Merle became the most popular pupil in school, both with playmates and instructors. His good nature was contagious. That he was mischievous was inevitable, for every healthy, talented youngster is full of life and animal spirits; but, thanks to his home training, more than to his own temperament, there was nothing mean in his pranks. He never consciously hurt the feelings of another, and his natural kindness of heart would not allow him to harm person, animal or bird. More than once his tactful teacher, when he glanced up and saw Merle scratching his ear and studying with hasty fierceness, did not let the boy know he saw the little wad of paper in his hand, which but for that sudden glance would have landed on the side of another boy's head, as he was poring over his book. And had that same boy glanced around to discover the offender, he would have noted that the sober Merle was more

absorbed in his lesson than any one else. In the instance named, the instructor had frustrated the mischief and that was sufficient.

The pupils were not allowed to help one another during recitation, but one day, when nervous, pale-faced Molly Tilton, at the head of the spelling class, hesitated in sore perplexity over a word, Merle, who stood next, and was sure of displacing her if she failed, dropped his pencil on the floor. As he stooped to pick it up, he muttered an exclamation, as if impatient with himself because of his awkwardness. But the teacher knew that the words uttered were the clue for which the distressed girl was groping, since she instantly gave the correct spelling and retained the place of honor. Her grateful smile and look at Merle told the instructor the story too plainly for him to be mistaken, but Merle himself never suspected that the teacher knew the truth. When the session was over, he told the incident to his principal.

"I am glad you overlooked it," remarked the latter; "it shows Merle's real character, which is one of the finest grained I ever knew. I don't wonder that all the boys and girls like him. He is a boy of whom any parents might be proud."

"How different from Algernon Raymond! Catch *him* throwing away a chance to displace the boy or girl standing above him."

"Didn't you tell me he gave way to Merle the other day?" asked the principal with a smile.

"For the good reason that he couldn't help it; he didn't know how to spell a certain word and Merle taught him. A sensible trait in Merle is that he doesn't waste his sympathy, but gives it where it does the most good."

It was a few weeks later that Algernon took Merle aside one afternoon, and fairly tremulous with anticipated pleasure, said in a guarded voice:

"I've thought out the biggest joke that ever happened."

"What is it?" asked Merle, always alert for anything of that nature.

"You know Professor Lockwood lives a half mile out of town, and when the morning weather is good he walks to and from school."

"Yes."

"Well, instead of following the road like other folks, he goes through that gate on the right hand side and takes a path across lots."

"What of it?"

"About a hundred yards from his home, he crosses the creek on a plank. The stream isn't more than ten or twelve feet wide, but I have heard it is very deep."

"Yes."

"I've thought out a splendid joke. Let's go there to-night and saw the plank nearly in two. When he starts to walk over to-morrow morning, it will drop him into the creek. Won't that be too splendid for anything?"

Merle was silent for a moment and then quietly asked:

"How will it be if he can't swim?"

"That's his lookout; we haven't anything to do with that; he ought to know how, and when he finds himself splashing in the water, he will manage to flounder out some way. Don't you see, Merle, that, if he gets a good ducking, we shall have a half holiday?"

"I'm not so sure of that; the Academy can run without him. But it is a great scheme, Pugsy; I'll meet you, say at eight o'clock. Will you bring a saw?"

"Yes; I'll 'tend to that."

"What will you say to your father if he asks what you mean to do with it?"

"I'll notify him that that's my business; he won't say anything more."

"Gee!" replied Merle; "if I should say that to my father, he wouldn't *say* anything, but I'm sure he would *do* something."

There was no fear of Algernon forgetting the hour fixed upon for carrying out the act of mischief which had originated with himself. He was studying his lessons in the sitting-room, with frequent glances at the slowly ticking clock in the corner, his mother engaged with some needlework, while his father read the evening paper.

"I'm going out for awhile," suddenly remarked the son; "is the handsaw in the woodshed?"

"Why, of course," replied his father, looking up in surprise.

"I want to borrow it for awhile; I'll soon bring it back."

"What do you intend to do with it?"

"If anybody asks you, tell him you don't know," flippantly replied Algy, as he passed out of the room.

Husband and wife smiled at each other.

"Did you ever hear any one so cute as Algy?" asked the pleased father.



"He has been that way ever since he knew how to talk," replied the equally pleased mother.

"All the same, I should like to know what he wants of the saw at this hour of the night."

"Maybe he'll tell you when he comes back."

Algernon found Merle Burton awaiting him, when he reached the deep, narrow stream near the home of Professor Lockwood. The night was a cool one in autumn, and there was a full moon in the sky. So far as they could see, no one was in sight, and a fringe of willows along the creek offered as good a hiding-place as any one could wish, should a person draw near. A well marked path led to each end of the plank, showing that the route was a favorite one with the Professor, for he was the only one who used it.

"I have been here for ten or fifteen minutes," said Merle, in answer to a question by the youth with the saw.

"Haven't heard or seen any one?"

"I heard the Professor come out on the porch and cough, and then say something to some one, I guess his wife or daughter, but I couldn't understand what he said."

"You don't think he suspects anything?"

asked Algernon, who, now that the time for action had arrived, felt somewhat timid.

"How can he? Well, we are here and it won't do to wait; we shall have to pull the plank ashore to saw it."

Algernon laid down the implement and the two grasped the end of the support. Though long exposure had seasoned the wood, it was so heavy that it taxed their utmost strength to draw it out upon land. One end dropped with a loud splash into the water, but it was dragged forth and laid parallel with the bank, the underside being above. Algernon quickly began sawing. Since the plank lay flat on the ground, he had to saw evenly across the whole width, there being too little play to allow him to raise or lower the handle, and eat through the wood.

When he became tired, Merle took the saw and did not stop work until the wood had been sawn so nearly through that it seemed scarcely able to sustain its own weight. That it was still tenacious, however, was proved when it was stood on one end, lowered as far as possible, and then dropped into its original position. It did this without fracture or yielding, despite the fact

that it was sawed three-fourths of the way through from the under side.

"Gee! but it's tough," said Merle; "it looks as if it must be weakened still more; where would be the fun if Professor Lockwood should walk across for months without being caught?"

"We mustn't take any chances, but how are we going to work it?"

"I'm pretty tired from sawing; suppose you walk out on the plank to the middle and saw farther into the side."

"The Professor will notice the marks of the teeth."

"No fear of that; he is always thinking so hard that he never notices such a little thing."

"If I saw too much it will break and give me a ducking."

"Don't saw too much; you can tell what is necessary; a few inches into the side that meets the part already sawed are all that's needed."

Algernon did not like the proposition. He and Merle were of about the same weight, and in view of the fact that Merle had done the greater part of the work, his companion could not well ask him to venture out on the plank. He reflected,

too, that the lank undersized Professor could not be much weightier than himself.

"I say, Merle, this is ticklish business," said Algy, hesitating at the end of the plank; "it looks to me that if I weaken the thing so it won't bear the Professor, it won't bear *me*, and it will be I that gets the sousing instead of him."

"Oh, well, if you're afraid, we may as well go round to the Professor's home, beg his pardon and then hurry off to bed."

"I ain't afraid at all; it looks as if that's what's the trouble with you."

"I supposed we were to take turns in sawing; I have done twice as much as you, but if you'll wait till my arm is rested, I'm ready to do your part."

Merle knew what the result of this would be. Algy could never stand anything of the nature of gying.

"Nobody wants you to do my part," was the resentful remark, as, saw in hand, he gingerly stepped upon the primitive bridge, like an elephant crossing a doubtful structure. He frequently halted and listened, ready to leap back the instant a suspicious creak was heard. Of course, he did not look to the rear. Had he done so, he



"DOWN HE WENT WITH SAW AND BISECTED PLANK"

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would have seen Merle Burton silently place his foot on the plank, holding it there while the other foot remained on land. Advancing more and more slowly, Algernon drew near the middle of the support and was bending down and peering with the aid of the moonlight in quest of the sawed portion, when Merle threw his whole weight on his front foot, and, as he heard the responsive crashing, leaped nimbly back.

Algernon uttered a cry of affright and strove desperately to get to land, but had no time to do so. Down he went with saw and bisected plank, and an instant later was floundering in the water. It would have gone ill with him, for he could not swim, but for the help of Merle, who seemed to have great difficulty in dragging him out, until the fellow was drenched and exhausted.

"Served us right," commented Merle, as if he were a fellow sufferer, "for trying to play the meanest kind of trick on Professor Lockwood."

## CHAPTER III

### FISHING FOR THE PERUE

ONE sultry summer night, a group of guests were gathered on the porch of the Burnbrae House, most of the men smoking and exchanging experiences in hunting and fishing. The Burnbrae, as you may know, is the well known hostelry among the mountains of Northern New Jersey, under charge of the retired clergyman, Mr. Hollinshed, and his two sons, Walter and Harry, or as the latter is better known, "Toby." Young as is the elder brother, he has already made a brilliant reputation in his profession of medicine, while Toby is a successful lawyer. It was the custom of the brothers to spend their summer vacation a little more than a mile from the mountain village of Sparta, in one of the most healthful regions of the Union.

Mr. Shedd, a well known clubman, had told of his stirring experience in wooing the trout from the sparkling streams and inveigling the



pickerel and bass from the lake. Mr. Brinkerhoff, who had spent a couple of years in the Klondike, hunting for gold and not finding it, had an inspiring account of several prodigious fish which he had hooked, though those which were the greatest prizes were invariably the ones that got away; while Mr. Woodruff had some strange narratives of the fish he had caught in Mexico, where he was once engaged in mining.

The two most interested listeners were Merle Burton and Algernon Raymond. They had arrived the day before, and had tramped over several mountainous paths and through the romantic glen which follows a tumbling stream all the way from the Burnbrae to the town of Sparta. They were pretty tired and enjoyed leaning back in their chairs, with their feet resting on the railing, in true American fashion. Algernon was smoking a cigarette, but Merle had not yet acquired the habit. His hands were clasped behind the back of his head, and he was content to listen to the talk, with now and then a question on his part, whose answer made clear some remark of the others.

"I believe there are few kinds of fishing in which I have not indulged," remarked Walter

Hollinshed, "and there are not many countries in which I have not dropped a line; but for real, all round sport that which can be had right here among these mountains will hold its own with anything, I don't care what it is."

Every one was alert. It was Merle who asked:

"What kind of sport is that?"

"Fishing for the *perue*."

"Perue. I never heard of a fish with that name."

"Which is only another proof that when one goes from home in search of wonders, he often leaves greater ones behind. The *perue* is a rare fish, found here and there in the streams flowing through the Appalachian range, though I have never heard of it south of Virginia. I have seen a few in the Adirondacks and in Canada, but there are any number of them right here in our own streams."

"What sort of fish is the *perue*?" asked Mr. Shedd.

"Take him all in all, I do not know his equal; he is more suspicious than the trout, and in delicacy the shad is not to be compared with him. He is too shy to be wooed by any bait, and throughout the day lies hidden under the bank

or among the rocks and roots of trees where it is impossible to get at him. At night he seems to swim up and down the current in search of food, but a slyer fish never lived. The slightest noise sends him to cover like a flash, and no matter how gently you drop your hook into the water in front of his nose, he is startled and darts out of sight."

"How big does he grow?" asked Algernon, who was deeply interested.

"The biggest I ever caught weighed a few ounces over two pounds. Half that weight is the most common."

Walter Hollinshed's words were so contradictory that they were immediately challenged. Merle Burton dropped his feet from the railing, unclasped his hands from the back of his head and echoed the doubt that was in the minds of the others.

"You said the perue is so timid that he cannot be taken with a hook and keeps out of sight during the day. I should be glad to know how you ever succeeded in catching one."

"There is a way of taking any and every fish that swims," said Walter patronizingly; "I suppose I have caught more than fifty perues, but

in each case it was done with a hand net and late at night: that is the only way by which the fish can be captured."

The silence which followed these words told the physician that more in the way of explanation was expected from him. He gave it.

"The method is simplicity itself. Off yonder to the north is a brawling mountain stream, which from some cause is a favorite haunt of the perue. Their course covers a quarter of a mile. At the lower end, I built some two years ago a sort of runway; that is to say, my brother and I rolled several boulders into the stream, leaving a couple of open passages for the free flow of the current. Now, two or three persons station themselves a hundred yards apart above this crude dam, the first being well toward the head of the course; he beats the water with a branch; that starts the perues down-stream in a panic; they are not likely to stop, till they have passed through the runway, but some of them stop and after an hour or so return to their usual haunts; to prevent this the second man, a few minutes after hearing the splash above him, strikes the water with the brush in his hand and sends the fish skurrying on down-stream; the third watcher

does the same, and then the perues plunge through the two openings in the dam for the long stretch of still water below. On the morrow, if they are not molested they will make their way up-stream again, leaping the passages in the runway as easily as one of you could go over a log. You hardly need to be told that the perues which are caught must be taken at the bottom of the narrow passages."

"How?"

"At the lower point of each opening, the fisherman is waiting with a scoop net, the perues dart into it, and he has only to flit the net to throw a dozen or less of perues out on land. That single capture, however, is all he can get, for the fish is chain lightning, and before you can whip the net back in position, the whole school has dashed past."

"As you say, your plan is simple," remarked Mr. Shedd, "and I should think you would capture more of the fish."

"All the conditions must be favorable, and no end of care has to be used. Every one who takes part has to be as silent as a scout stealing into an enemy's camp; the crackling of a twig is likely to spoil everything, and a little impatience on the

part of those holding the nets, will turn all the perues back to the shelter of the overhanging banks and rocks."

"What kind of a night is the best for perue sport?" asked Mr. Brinkerhoff.

"Dark, rather sultry and with no wind."

Algernon Raymond sprang to his feet.

"You have described this night perfectly."

"Yes," replied Walter in a matter of fact voice; "it could not be more ideal. I had noticed the fact before you spoke."

"Let's try it!" added Algernon excitedly; "it will be something to tell our friends at home. What do you say, Merle?"

"Nothing would suit me better."

The lamps in the parlor lit the porch enough for the little party to see one another's faces. Doctor Hollinshed's shock of sandy hair seemed to give out an illumination of its own. He looked inquiringly around:

"It's as you gentlemen say. Mr. Raymond and Mr. Burton seem so enthusiastic that I shall be glad to give them a treat, which I pledge them neither will ever forget."

"We can hardly expect that," protested Merle; "Mr. Brinkerhoff and Mr. Shedd should share

in it. My friend can hold one of the nets and I will help beat the stream."

"You expect to stay with us for only a few days," said "Toby" Hollinshed, "and Mr. Shedd and Mr. Brinkerhoff can take their turn after you have gone home."

"That strikes me as a good arrangement," said the doctor; "we shall not have a more favorable night during the whole season; the hour is so late that our absence will not be noted; I'll be with you in a few minutes."

He hurried through the hall and kitchen to the sheds at the rear, and quickly returned, bearing in either hand a scoop-net, such as is used in taking crabs from the water. The handle of each was some six feet in length. At the lower end was an iron circle, six or eight inches in diameter, supporting loose meshes of twine. As you know, when a crab has been enticed by a bait toward the surface, a similar scoop-net is slipped under him and he is lifted out and dropped into the bottom of your boat.

The method had already been explained to Merle and Algernon, but as Walter handed the nets to them, he added a few words:

"All you need to do is to be silent and patient.

When you step into the water and take your position, you must be like the Eskimo, who sits motionless for hours beside the air-hole waiting for the seal to rise within reach of his spear."

"How shall we know when to flirt up our nets?"

Walter laughed.

"There won't be any trouble about *that*; when they butt into the meshes, you must be on your guard, or the net will be knocked out of your hands. Keep yourself braced and the handle firmly grasped, from the moment we part company till the perues plunge into your net. We have such a long walk before us that it is best to start at once."

Doctor Hollinshed took the lead, Toby and Shedd following in order, with Merle and Algernon at the rear. The Hollinsheds, having been born in the neighborhood, were familiar with every rod of mountain, stream and clearing, and the others were glad to accept their guidance.

The tramp which followed was so laborious that it would have cooled the ardor of any one less enthusiastic than Merle and Algernon, but they were aglow with anticipation and eager for the treat before them. Algernon caught his foot



in a root and pitched forward on his hands and knees, but fortunately without injury to the net he was carrying. An obtruding limb slipped under the chin of Merle, and he impulsively felt of his head to make sure it had not been lifted off his shoulders. He said nothing, but in the gloomiest places kept his hand in front of his face to avert a similar mishap.

Fully an hour had passed, when the Doctor halted on the edge of a stream and remarked in a guarded voice to his companions gathered round him:

"Well, here we are at last!"

"Whew! how far have we come?" asked Algernon.

"Not more than two miles."

"Isn't this the stream that flows at the back of the Burnbrae?" inquired Merle.

"It is, but you must remember it is more than a dozen miles in length."

Toby, Shedd and Brinkerhoff might have added an interesting bit of information, but chose to hold their peace.

"Here is the runway," added the Doctor, "but we shall have to have help to see it."

He drew out a box of safety matches and

scraped the head of one along the prepared sandpaper on the side. As the tiny flame was held aloft, it brought into view the scene which the guide had already described. The stream just there was hardly ten feet wide, and was so clogged by a row of boulders that it rushed through two passages, one close to the near bank and the other almost against the farther shore.

"Now," said the Doctor, as he lighted and held up another match, "Mr. Raymond, you will go to the other side, and Mr. Burton will remain here; you will have to wait only a few minutes till you hear me whistle twice: that will mean all is ready and I am about to start the fish downstream. Each of you must take his position, brace himself and wait patiently for the harvest."

The young men assured their guide that his instructions should not be forgotten, and the three men vanished in the gloom.

They had scarcely gone when it struck Alger non that it would be prudent to remove his shoes and stockings and roll up his trousers. It was much more pleasant to tramp two miles with dry feet than with wet ones. He ventured, in spite of his warning, to call his suggestion across to Merle, who replied that he had already prepared

himself, and then he cautioned Algernon to keep quiet.

So long a time passed before the signal was heard that both began to fear it had been made, but was drowned by the noise of the rush of the water between the boulders. Suddenly, however, they heard the call, faintly but too distinctly to be mistaken.

Merle sprang up and put one foot into the thrillingly cold current. At the second step, he went down to his waist, with a gasp, but the third step took him into shallow water, and with the strong current rippling about his knees, just high enough to keep the roll of his trousers saturated, he adjusted the scoop and held himself ready for the rush of the perues.

Algernon's experience was more startling. When his first foot shot downward to the gravelly bottom, the water came to his chin. He shivered and holding to his net hastily scrambled out again.

"Great Cæsar!" he gasped; "the bottom has dropped out!"

A word of warning from Merle silenced him and he ventured into the current again. When he gained the right position, the depth was about

the same as where Merle stood. Both remembered the picture as revealed by the matches and were sure the first half-score of terrified perues would soon be flopping on dry land.

While the signal whistle was plainly heard, the beating of the branches on the surface was inaudible. This was to be expected, for it lacked the shrill quality that made the other more penetrating.

The minutes passed slowly as they always do to those in suspense. When our friends had become accustomed to the chilliness of the water, they cared nothing for that which at first had caused them so much discomfort. They were waiting for and thinking only of the shock that would tell them the perues were plunging into their nets.

Time went on and the fish came not. The backs of the youths ached, but they did not shift their position, or even speak to each other. Merle groped in the water with one hand, thinking it possible the fish had slipped past on one side of his net, but that could not be, for the iron runs fitted as neatly as if prepared specially for the openings.

It must have been a half-hour after the signal,



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that Merle stepped carefully but emphatically out of the current, flung his net from him and began briskly rubbing his limbs with his pocket-handkerchief. Then, with some difficulty, he rolled down his trousers and drew on his shoes and stockings. He had hardly done this when a flicker of light showed on the other bank. Algeron's patience had given out first, and having tossed his net aside, he was picking his way over the boulders.

"Where do you suppose those fellows are?" he angrily asked of Merle.

"At the Burnbrae, of course; as soon as Doctor Hollinshed whistled, the three went home without waiting a minute for us. Pugsy, there's no such thing as a perue."

"Wouldn't I like to meet those curs!"

"What would you do?"

"Lick all three within an inch of their lives!"

Despite the exasperating situation, Merle laughed.

"And what do you suppose *they* would be doing all that time? There isn't one of the three that couldn't trounce you with his hand behind his back. One of the most amusing things to me is to see some dyspeptic dude airily set out

to horsewhip a young Hercules, who may have offended him. Father told me that when he was riding through Colorado on a train last summer, a burly miner became so noisy that a young man from the East, who was escorting his fiancée and her mother across the continent, announced that he intended to teach the fellow manners. So he doffed his coat, slipped off his cuffs and chivalrously notified the miner to 'put up his dukes,' inasmuch as the gilded youth was about to chastise him. Then the young man who had taken lessons in boxing sailed in. Five minutes later he came out again, looking as if he had been run through a threshing machine. In the popular story, he is always victorious and crushes the bad man, amid the plaudits of the spectators, but nature's laws are inexorable and she doesn't do things that way. Now, Pugsy, we are the victims of a rather mean joke; all that we can do is to suffer and be strong, — in other words, grin and bear it. The perue never existed, though I have no doubt he has been hunted a great many times in these parts. This whole business was a cleverly managed conspiracy. It strikes you as contemptible, but it is no more so than many things you have done."



"What did I ever do that was so low down as this?" demanded Algernon.

"When you and I were boys attending the Academy at Dorpville, you sawed a plank nearly in two, on purpose to let Professor Lockwood drop into the water, and he would have done it too if it hadn't been for me."

"If it hadn't been for *you*," repeated the wondering Algernon; "I should like to know how *you* prevented it."

"I bore down on the plank behind you, so that it broke and you got the ducking."

"I never suspected that; it's lucky for you that you kept the secret from me."

"Lucky for whom?"

"For you; had I known what you did, I should have trounced you —"

"I think not; you have tried that several times, but I have no recollection of your ever having succeeded. The trick you tried on the lovable Professor was more despicable than the one that has been played on us. What a difference it makes whose ox is gored! If we ever get out of these mountains alive, let's keep as mum as those fellows will permit. But we shall gain nothing by growling and staying here all night.

We have two miles of the roughest kind of travelling, provided we are able to follow a straight line, but we are sure to labor over two or three times that distance, and then most likely we shall go astray."

"And wander through these wilds till we die of starvation. What a splendid joke that would be!" said Algernon, as the two began their wearisome tramp. Merle plunged over an unseen boulder, but had gone only a few rods farther, when his companion exclaimed:

"Gee! I see a light just ahead."

"Where?"

Both caught the glimmer among the trees, evidently close at hand.

"Probably it is the home of some hermit or outlaw," suggested the alarmed Algernon, "and neither of us has a firearm; it won't be safe to ask for help till we reconnoitre."

"There are no outlaws in this part of the world; we're in luck, Pugsy, for we shall get lodging for the night and probably hire a guide to the hotel in the morning; come on."

A few steps farther and Merle again caught his feet in a running vine and went forward on his hands and knees. Algernon was walking so

close at the rear that he rolled over him and continued to the bottom of a steep bank before he could check himself and rise to his feet. Neither was hurt and when they looked around, they saw they were in a public highway. The light which they had observed came from the Burnbrae, on the opposite side of the road. Three men, with their feet on the railing, were smoking and chatting about various subjects. The distance between the hotel and runway, where our friends had been fishing for perues, was barely two hundred yards.

The group on the piazza recognized the two forlorn figures, as they emerged from the gloom and entered the mild illumination. Doctor Holinshed dropped his feet, leaned over and called:

"How did you make out? I don't see any fish."

Algernon was too angry to trust himself to reply, but walked sullenly up the steps and passed to his room without a word. Merle walked smilingly over to the group, forgetful of his chilling, clinging garments.

"The perue is the gamest fish in all creation; we must have scared them away, for, though we waited all of ten minutes after you whistled, they

fought shy of our nets; it is plain that they haven't much liking for suckers; I suppose a fellow needs experience before he learns how to catch them."

"Yes; you will do better next time."

"I shouldn't wonder," replied Merle with a laugh, as he bade the party good night and went up-stairs to his room.

"Looks as if he caught on," remarked Toby Hollinshed to his friends.

"No doubt of it, but he is game," replied Shedd. "That fellow has sense and sand, but I don't go anything on the other chap."

But for the restraint of Merle, Algernon would have actively resented the trick that had been played on them. His anger grew, but his friend held him back, though he refused to speak to any one of the three, or snarled an insulting reply when addressed.

The incident I have related occurred during the senior college year of Merle Burton and Algernon Raymond. The two were graduated in due course. While circumstances thus threw them together a good deal, it cannot be said that they ever became really intimate. Their temperaments and training were too opposed. Merle

grew in manliness, self-reliance and love of duty. "Do right, though the heavens fall," was the motto taught him by his parents as soon as he was able to learn the meaning of words. They laid the foundation firm and strong and he builded securely thereon.

It might have been the same with Algernon Raymond, had he been blessed with a sensible father and mother, for he certainly possessed fair ability. The two adopted law as a profession and were admitted to the bar within a week of each other. Algernon's guiding principle was *success*. No matter how inherently vicious the case of a client was, he used every energy and possible resource to win. Had he been morally certain of the guilt of a forger, burglar, incendiary or assassin, he would have resorted to all the questionable subterfuges which our laws permit in order to defer or avert just punishment, and he would have been proud over his success in the triumph of wrong. In short, he was morally as much a criminal as many of those whom he defended before the bar of justice. He encouraged litigation, while Merle strove against it. The latter never took a case in which he did not believe right was on his side. His greatest

pleasure was to bring disputants together, discuss their quarrel calmly with them, show each wherein he was wrong, and finally lead them to common ground, where through a little yielding by both, a compromise mutually satisfactory could be reached and money saved all round. Our young friend may not have pocketed as many fees for a time as Algernon, but he was building well, and he gained that which is beyond the measurement by money — the approval of his conscience.

The most intolerable trait which Merle saw in Algernon, aside from his unscrupulousness, was his "toadyism" to rich or influential men and to powerful corporations. The leading one with which he came in contact was the P. Q. & G. Railway Company, whose lines gridironed hundreds of miles in the East, and were rapidly pushing westward. This corporation was often referred to as a great octopus, whose rapid growth and combinations with other companies menaced the welfare of the country at large. The P. Q. & G. became an issue in politics, but was almost invariably successful, as was sure to be the case when its immense wealth and resources gave it the pick among judges, lawyers,

agents and lobbyists and almost every servant it chose to employ.

Imagination cannot picture a prouder being than the young attorney of one of the numberless small towns, who received an annual pass from the P. Q. & G., and was employed to manage some trifling case, such as the killing of a cow, or the burning of some hay or woodland, charged to the sparks of a passing locomotive. The budding Daniel Webster quoted the Constitution, talked of the Magna Charta, the sacred rights of human liberty, the inalienable prerogatives of American freemen, and when he referred to the great corporation, it was always as "we." He identified himself as a cog in the mighty engine and accepted all disrespectful allusions to it as a personal affront.

The secret ambition of Algernon Raymond was to become enrolled as one of the counsel of the P. Q. & G. He wondered why he was not sought out at once, but two years came and went after his admission to the bar, and the prize seemed as elusive and far off as at the beginning.

Merle Burton was equally unsuccessful, but in his case, he was indifferent. His office practice

had grown to that extent that he was not only able to send his parents frequent generous presents of money, but to place a neat sum in the savings bank and to make judicious investments with an almost certainty of good returns in the future. He became known as a safe adviser, who, so far as was humanly possible, was on the right side of every question in which he interested himself.



## CHAPTER IV

### AN "OUTRAGE"

DORPVILLE, being a college town, was proud of the fact, but it reaped the inevitable consequences of the honor. Where several hundred virile young Americans are gathered, most of them overflowing with animal spirits and bodily vigor, an outlet must be found for their surplus energy. This is wisely provided for by the gymnasium, base and foot ball, boating and other forms of athletics. Furthermore, such an aggregation of budding manhood is sure to hold a ratio of reckless, headlong youths, who, in addition to hazing members of the lower classes, indulge in more than one questionable form of amusement. Many a concert, circus, theatrical and other entertainment has been broken up by disorderly students, while a group of intoxicated roysterers have turned things topsy-turvy throughout the town.

One night three seniors of Dorpville College

set out to "make things hum." All had been drinking, and were in a mood that was ripe for any mischief. The leader was Jack Ashland, an impulsive but talented young man, who was so unfortunate as to have a wealthy indulgent father. He had been suspended once and narrowly escaped expulsion for his escapades. Objectionable as were their performances, some of them would have made any one smile. Thus, a gilded millinery sign was set in place over the gate leading to the grounds of the best known bachelor in town; the wholesale liquor sign announcement barred the way to the principal drug store (and perhaps was not wholly inappropriate); the undertaker's glass plate adorned the office door of the leading physician (and many professed to see a grim appropriateness in that), while a cobbler's notification that soles were repaired within was made to dangle in front of the most prominent divine in Dorpville.

All this might have been passed over as harmless amusement, had not the youths become too ardent in their pursuit of fun. When Mr. Peabody, the grocer, rushed down-stairs partially dressed and protested against the wrecking of

boxes and barrels on the porch of his store, Jack Ashland lifted the man as if he were an infant and jammed him down with such force into one of the empty barrels that he was wedged fast with only his head and feet protruding. Being unable to help himself, he could do nothing but shout for help, as the barrel was rolled along the pavement by the kicks of the rollicking students.

The outcries of the victim brought a couple of policemen to the spot, and the merry youths found themselves in a twinkling in the stern grip of the law. Somewhat sobered by the turn of affairs, they tried to "fix" the cops, but the officers virtuously scorned the bribe and the prisoners were unable to reach their figure. Helping the merchant to writhe himself outside of his uncomfortable quarters, they were marched to the nearest magistrate's office, with the indignant complainant at their heels.

The students shuddered at the prospect of being locked up for the night, with the gravest of consequences impending from the college authorities, but it fortunately happened that Magistrate Wortendyke had just disposed of a

special case to whose hearing he had been called, and he consented to take the complaint of the policemen.

As it was not very late, the arrest had caused some excitement on the street. A score of men followed the party into the office of the magistrate to learn what it was all about. The glare of the pendent lamp over the official's desk had hardly time to reflect the faces of the arrivals, when from the group of spectators, Algernon Raymond, flinging aside his cigarette, excitedly pushed forward.

"This is an outrage!" he exclaimed with flashing eyes; "I protest; does your Honor know who that young man is?" he demanded, pointing at the brazen Jack Ashland.

"Not yet, but I expect to find out," replied the magistrate.

"He's the son of the president of the P. Q. & G. Railway!" announced Algernon, with dramatic impressiveness that was expected to awe every one in the room; "it's an outrage to arrest him."

"Why? Is he any better than the other two nuisances?" calmly asked the magistrate, fixing

his keen gray eyes upon the countenance of the lawyer.

"I don't know who they are, but I know Mr. Ashland is the son of the president of the P. Q. & G.; it's a shame to take him into custody. You have no right to humiliate him."

"From what I know of the scapegrace," continued the official, "he is pretty well used to being arrested. Do you appear as his counsel?"

Young Ashland, like all in the room, was looking fixedly at the man who had thus projected himself into the proceedings. He was a stranger to the student, who now promptly said:

"I engage him as my counsel; that fellow has got sand."

"Then I protest against this outrage; never in all my experience at the bar, have I ever witnessed such a shameful proceeding as the arrest of this gentleman, the son of the president of the P. Q. & G. Railroad Company; why, your Honor, the Constitution of the United States guarantees —"

The magistrate impatiently raised his hand.

"That will do; not another word till I give permission; you can put in your defence after the charges are heard."

"This is an outrage —"

"Another word until I tell you to speak and you will be thrust into a cell and left to meditate upon the different kinds of fool a man can make of himself. Jim," added the judge to one of the officers, "run him in back if he opens his mouth."

Several of the group applauded these words, but paying no attention, Judge Wortendyke turned to the two policemen who had brought in the prisoners and asked for their statement. One of them gave it in a few words, his comrade nodding assent to what was said. The judge turned to young Ashland.

"What have you to say to this, sir?"

"I'm like the deacon," said the prisoner with an insolent grin, "who said there was no use in sticking to a lie after you were fairly caught. We were indulging in only a little harmless fun, and no one but a chump would take offence."

"It may have been fun for you, but it was anything else for your victim. You, John Ashland, were the ringleader and you are fined twenty dollars, to stand committed until the fine is paid. As this is the first time, I believe, that your companions, Moffatt and Hewitt, have been

arrested upon such a charge, I shall discharge them with a reprimand and due warning that a second offence will be punished severely. As for you," said the judge, turning to young Ashland, "the next time you indulge in this sort of fun, I shall make sure you are put behind the bars. In that case, the college authorities will doubtless have something to say also."

"This is an outrage —" began the still excited Algernon. The judge rapped sharply with his gavel.

"I'm not through — that is right," he said, glancing at the twenty-dollar bill which Jack Ashland peeled from a big roll and handed to him. Passing it to the clerk, Judge Wortendyke said a few things, which were so true and sensible that they deserve record. It should be stated that this magistrate was a graduate of Dorpville College, and superior in education and intelligence to many holding a similar office. He hesitated a moment after the room became still, faintly smiled, and leaning back in his chair, addressed the audience as much as the prisoners, and especially the angry Algernon:

"There are two peculiarities of our life which are vastly amusing to me. When a man is

attacked in the public prints, he invariably opens with, 'My attention has been called to an article in your paper, etc.' No matter if he is the only one who has read the attack, he uses the same formula, generally followed by the declaration that he will not dignify his slanderer or insult the intelligence of the readers by noticing the scurrilous falsehoods.

"The second humorous feature is that every citizen who is made to feel the weight of the law, or who is arrested upon any charge whatever, promptly declares such arrest an 'outrage.' No other word is ever used, and no matter how flagrant and self-evident the guilt of the criminal, his arrest, none the less, is an 'outrage.' The young Demosthenes, who has pushed into this business as the counsel of this jackanapes before me, used the word *ad nauseam* and no doubt will repeat it every time he refers to this case. I know something of Mr. Raymond and have long set him down as one who has no more brains than the law allows, but it remained for him to make this last exhibition of himself, when he based his defence of the self-confessed prisoner on the fact that he happens to be the son of a railway



president. As if that had a feather's weight in this court, except in the opposite scale."

The judge hesitated a minute and then spoke with graver manner:

"There is a serious side to all this. One of the greatest perils of our country is the favoritism shown to criminals because of their wealth or prominence. The starving wretch who steals a loaf of bread is thrust into jail; the sleek scoundrel who wrecks a bank or insurance company and robs scores of widows and orphans of their all, goes scot free or is let off with a fine which he pays from his stealings. The murderer, condemned after a fair trial, is cheered in his cell by flowers and delicacies sent by sentimental women; hysterical preachers proclaim the certain innocence of the criminal, and warn the governor of the awful crime he will commit if he does not stretch forth his hand to save him; medical experts, under the pressure of this maudlin sympathy, reverse their former opinions; even the jurors are sometimes weak enough to petition for a commutation of sentence; should the head of the commonwealth be brave enough not to yield, two or three years later he or his successor

is deluged with prayers for the pardon of the miscreant, who henceforth becomes a hero in the eyes of those who forget the victim of the crime, and the hearts the murderer has broken.

"This court is an insignificant one compared with the numberless ones that outrank it, but so long as it remains under my direction, it shall be impartial, and, so far as my ability permits, just to every person brought before it, without regard to wealth, distinction or social prominence —"

"Good! those are the words of a *man*."

Judge Wortendyke glanced gratefully at Merle Burton, nodded, smiled and raised his gavel. The irrepressible Algernon, with crimson face broke in:

"Your Honor, I protest against the use of such language: it's —"

"An outrage,' but it is what you may count upon getting every time you appear in this court. Adjourned," he added with a tap of his gavel.

The crowd began filing out. As Merle passed in front of the desk, the judge reached over and shook his hand.

"It may not have been strictly in order, but I thank you none the less, Mr. Burton."

"I deserve no more thanks than the rest,"

replied our young friend, as he moved out into the street. Jack Ashland and his companions were pretty well sobered by their arrest and hearing. The two left together and he was about to follow, when Algernon hurried to his side.

"It's a shame," said the young lawyer, offering his hand; "I'm sorry that so many of our judges don't know how to treat a gentleman."

"That's all right," replied the other with a laugh; "those that dance must pay the piper; will you please give me your card?"

Algernon had it ready and shoved it into the hand of the youth, who passed his own to the lawyer. As they stepped into the open air, Jack Ashland slid his hand under the arm of the lawyer, as if they had been chums all their lives.

Can you name the proudest person you ever saw? I have sometimes thought it was a boy with his first pair of trousers, or a colored lad who helps to carry the bass drum in a minstrel parade, or the gorgeously uniformed African as he leads his band, or the young political candidate when he learns of his election to office. Be that as it may, I am sure that none of these was in a loftier state of exaltation than Percy Algernon Raymond, while walking toward the college

dormitory, with his arm interlocked with that of Jack Ashland. He almost caught his breath when he recalled that this turbulent youth was the only son of Hugh H. Ashland, president of the mighty octopus known as the P. Q. & G. Corporation.

What dazzling possibilities opened before him! The son of course would write to his father a glowing tribute to the brilliant ability of the rising young lawyer of Dorpville; the president would make haste to attach Algernon to their big staff of counsel; important legal matters were certain to be entrusted to him; his responsibilities must broaden and grow; in due time he would become the leading adviser of the vast corporation, with greatly increased pay and reputation; more than likely, he would be sent to the State legislature; the next upward step would be Congress or the governorship. The P. Q. & G. had several servants in Congress, but there could never be a more loyal one than Algernon was resolved to be.

"Their interests shall always be foremost with me; my motto is '*Win* at all times and in all circumstances.' Merle is content to plod along, in the old-fashioned way, but that isn't *my* style;

he thinks he knows it all, but one of these days, he'll wake up to the fact that times have changed and things are not what they used to be; the wise lawyer adjusts himself to those changed conditions; the nineteenth-century version of the proverb is that policy is the best honesty."

Three days later, when Algernon saw among his letters a blue envelope, with the printed address in the corner of the office of the P. Q. & G. Railroad, Chicago, his heart gave a great bound, and with eager, trembling fingers, he broke the missive open. That which first caught his eye was a card, light blue in color, with the figures representing the current year printed across the face. The name "P. Algernon Raymond" was written in beautiful script in the blank space, while the scrawled autograph of the president below was hardly legible.

There could be no mistake as to the meaning of the card: it was an annual pass over the Eastern Division of the P. Q. & G. Railroad, not transferable, and good until the opening of the following year.

After fondling and admiring the pasteboard for several minutes, Algernon laid it down and unfolded the sheet which accompanied it. This

was the usual printed form, in which the president, whose signature was lithographed, expressed his pleasure in forwarding the pass to the recipient and respectfully asked that its reception be acknowledged. Need I say that the acknowledgment was sent by return mail in an effusive letter, in which Algernon said he would be glad to serve the company in any and every way possible.

There was one fly in the ointment. The letter was of the most formal pattern. Evidently it had been forwarded upon the request of Jack Ashland, but it contained not a word about preempting the legal ability of Algernon. Whatever the litigation in which the company had been involved heretofore in Dorpville and the vicinity, they had employed counsel of more mature years.

"It must come," added Algernon, rallying from his disappointment; "this is the day of young men and they shall hear of me sooner than most people expect."

He rose from his chair, secured the windows, stepped outside into the hall, turned and locked the door. Then he lifted off the small square slate, with the pencil hanging by the string,

and wrote in a bold hand: "At court — return shortly."

He passed down the steps to the street, boarded a trolley car and rode to the railway station. On the way thither he studied the tables, glanced at his watch and found he was just in time to connect with the Western Express. Having done this, he spent the remainder of the day in riding over the main line and some of the branches — so far as it was possible to do so — of the P. Q. & G. Railway. His pass worked beautifully, and he was sure the conductors and passengers, whom he took care should see the magic pasteboard, surveyed him with additional respect.

## CHAPTER V

### AN IMPORTANT CASE

ALGERNON RAYMOND was sitting in his office, one bright morning in May, with his feet on the table, a cigarette between his lips, and the morning newspaper in his hand. His interest lay in the sporting page, and he was speculating whether to lay a wager on the Chicagos, New Yorks or the Pittsburgs, as the coming champions in baseball, when a sharp rap sounded on his door.

"Come in," responded the young lawyer, dropping his feet to the floor and laying down his paper. It was possible that the caller was a lady. But as the door was pushed inward, a middle-aged farmer gingerly entered and stared around. He was a typical "hayseed," with sandy chin whiskers, large, open mouth filled with irregular yellow teeth, long, linen coat and coarse cowhide boots. Turning his gray eyes upon the man, he asked in a husky voice:



"Be you the lawyer?"

"I have the honor of belonging to the profession; take a seat and let me know what I can do for you."

Algernon indicated a chair on the opposite side of the table, and the caller, scrutinizing it for a moment, walked slowly to the piece of furniture, sat down and carefully laid his straw hat on the table.

"I've come to see you 'bout my boy, Bill," he announced, squinting one eye, as if he were aiming an invisible gun. Algernon was surprised, but did not show it.

"I have no doubt that Bill is a very fine young man, and I shall be glad to serve him in any way possible."

"You're right; there ain't a finer young man in the State, if it is his father, Josiah Tompkins, that says it, but Bill has been terrible misfortunate."

"I am sorry to hear that; what are the particulars?"

Josiah Tompkins looked here and there for a cuspidor, and seeing none, aimed at the bare floor in the corner. Then he tipped his chair back, lifted one boot and rested it on the table. It

cannot be said that Algernon was pleased, but a lawyer must be prepared for all sorts of clients, and he showed tact by elevating both of his vici kid shoes to their former place, so that the table was pretty well laden with shoe-leather. Mr. Tompkins, with the aid of his rock-like teeth, wrenched off a large piece from a plug of tobacco, chewed a moment, spat again, and said, still squinting in the face of his prospective counsel :

“Last Toosday forenoon, when the Eastern Express stopped at Rosemead, which is the nearest station to my farm, my son Bill, that had just bought a ticket for Hazlett, hurried out to git on board. Bill was in his best bib and tucker, for 'twixt you and me, he's sweet on a gal at Hazlett — and she's a powerful fine lady too. 'Spect it will be a splice one of these days, but you needn't let on to Bill that I said anything 'bout it to you. Wal, just as he was putting one foot on the steps and reaching up to catch hold of the iron guard, the ingine jumped forward like a hoss when you prick him with a spur. Bill made a grab for the railing, missed, his hat fell off, he tumbled down sideways and split his right trousers leg from the bottom to the knee.

The wheels run over his darby and mashed and cut it all to bits. Wa'n't that scandalous?"

"It certainly was anything but pleasant," assented Algernon with a smile.

"It nipped in the bud Bill's visit to his sweetheart."

"And seems to have nipped him also."

"And sp'iled his best trousers, which cost him four dollars and a half. Don't you think the railroad oughter pay damages for what they done?"

Algernon was quick to scent breakers ahead.

"It would seem so at first, but the point is whether the mishap was not the fault of your son Bill. No one has the right to try to board a train while it is moving."

"But Bill didn't try to do that," protested Mr. Tompkins with some heat; "the train didn't start till he had one foot on the steps."

"How can you be sure of that? You were not present, I understand."

The caller dropped his feet on the floor and sat upright. The squint in his eye was gone.

"I know it 'cause Bill said so; I never knowed him to tell a lie in his life, and I won't allow any man to insinooate anything of the kind."

"Don't get excited, Mr. Tompkins; I don't doubt the truthfulness of your son, but all of us are liable to be mistaken, and in the exciting moments, it is possible that Bill was confused and does not remember all that took place."

"He ain't that sort of a fellow; he always has his wits with him and what he says you can bank on every time."

"Still, if some of the employees of the company testify the other way, don't you see it will offset what Bill says?"

"I don't see anything of the kind; the jury will be sure to believe what Bill says."

"Well, what is it you propose to do?"

"Sue the railroad."

"But, if you recover damages, which is doubtful, you won't receive one-half of what it will cost you."

"What's the reason I won't?"

"You say the trousers cost four dollars and a half, and I suppose the derby was worth say two dollars. Allowing the latter sum, the trousers were not injured beyond repair, and you wouldn't receive more than a half-dollar on their account. Your legal expenses will be ten times that sum at least; better let the matter drop."

"Hold on there! I forgot to tell you something."

"What's that?"

"Bill broke his leg; it slipped my mind; I had to hire a doctor to set it and it'll be some weeks before Bill can git round even on crutches; he won't be able to do a stroke of work in harvesting and won't make a full hand till fall, and it's by no means sartin he'll be worth anything even then."

This statement put a new face on the affair. Algernon saw that the case promised to be of considerable importance. In the hands of a skilful lawyer, it would not be difficult to make the company pay damages.

"Have you made complaint to the company?"

"Of course I have; me and Betsey, my wife, wrote a letter together, my darter, Sally, doing the spelling for us, and I sent it straight to President Ashland himself."

"What reply did you receive?"

"They said they'd investigate and report later. Yesterday I got a letter saying as how they had done so and found it was all Bill's fault and he oughter be thankful he warn't run over and sarved like his darby was."

Algernon gravely shook his head.

"I am sorry to tell you that you have no case; you can't recover a penny."

"Why not?" asked the farmer in indignant astonishment.

"The company no doubt investigated the accident thoroughly—they always do that—and found that you haven't a leg to stand on. The conductor and brakemen must have seen the mishap and when they swear that no one was to blame except Bill, his testimony will be thrown out by the jury. It is very pleasant to be able to get back on the man or company that you feel has done you an injury, but there's nothing to be gained by butting your head against a rock. Depend upon it, you will be throwing good money after bad and will always regret that you tried to fight the P. Q. & G."

"That's what you think?"

"I am sure of it."

"Think of me losing all Bill's help this summer and fall; I expected to get three hundred dollars at least in the way of damages; it's worth it."

"Preposterous! Dismiss all such nonsense from your mind; take my advice and save your

money; it will be a hundred times better for you in the end."

"And you say you're sure of that?"

"I am, and so you will be yourself after you have taken time to think calmly over what I have said to you."

Mr. Tompkins slowly rose to his feet, donned his straw hat, worked his jaws vigorously for a minute, and squinting again asked:

"How much do I owe you?"

"My regular consultation fee is ten dollars, but, since you have shown such commendable sense, I'll make it five dollars. I have done you a good turn, Mr. Tompkins, and, as I said, you will admit it before long."

"P'raps," replied the farmer, as he drew out his wallet, tied about with twine, and carefully counted five one-dollar bills, which he handed to Algernon, who flipped the ragged strips of paper between his fingers and took up his pen to write a receipt.

"Never mind 'bout that; I might die sudden and I wouldn't want my friends to find the dock-ymment on me showing what a fool I'd been to pay for advice that isn't worth a copper."

Mr. Tompkins stamped out of the room and down-stairs. Algernon waited until the noise of the deliberate step had died out, and then lit another cigarette, put on his hat, whose band displayed his college colors, and, jauntingly swinging his cane, passed out on the street. He walked briskly to the Germania Building, two blocks away on the opposite side, and tripping up one flight of steps, shoved open a door, upon whose misty glass was painted in gilt letters, "John T. Gilbert, Counsellor-at-Law." He was the legal representative of the P. Q. & G. Railway in Dorpville and vicinity.

The room entered by Algernon was for the reception of visitors. Before he had time to seat himself in one of the three chairs, a smart youngster stepped briskly in front of him.

"I wish to see Mr. Gilbert a few minutes if he is not engaged."

"I'll see; just fill up a card on the desk there."

The caller hastily did as requested, with the stumpy lead pencil provided, and the boy whisked out of sight to reappear in a twinkling.

"Mr. Gilbert will see you; this way please."



Hat in hand, Algernon followed the youth through a room, where two students-at-law were seated near a window, each with a big tome bound in calfskin in his lap. One of them glanced up at the visitor, and immediately let his eyes fall again. The other did not withdraw his attention from the printed page.

Mr. Gilbert was in middle life, quite bald, with a fringe of gray hair around the lower part of his head and a small white tuft in front of each ear. He had keen, hazel eyes, regular features, was clean shaven and wore gold eye-glasses. He had wheeled his chair about so as to face his caller, with whom, as a member of the bar, he had a speaking acquaintance.

"How do you do, Mr. Raymond?" he said, courteously extending his silken hand. None the less, his expression and manner showed that he expected prompt announcement of the business that had brought the young man to the office of the distinguished counsellor-at-law.

Algernon sat down with considerable self-possession, after replying to the greeting, and, knowing the virtue of despatch, came to the point at once.

"I had a call to-day, Mr. Gilbert, which I think, as a friend of the P. Q. & G., I ought to tell you about."

"Yes."

"A Mr. Tompkins asked me to bring suit for injuries received by his son in boarding a train at Rosemead station."

"Do you intend to do so?" asked Mr. Gilbert calmly. Algernon's expression was reproachful.

"I never appear against the P. Q. & G."

"How fortunate for us!" remarked the elder with a smile; "but a young lawyer shouldn't throw away a good chance to earn a fee. Will you be good enough to let me know the particulars?"

Algernon complied, Mr. Gilbert listening without interruption, and flipping his eye-glasses back and forth over his fore-finger. Then he fixed them astride his nose, leaned over his desk and shuffled several papers lying thereon.

"I have received the facts about the case; you have stated them correctly; of course we must attend to the matter."

"I have dissuaded the man from bringing suit; it is all settled."

The elder smiled indulgently and resumed the flipping of his glasses.

"You are mistaken; if you succeeded in changing his mind, it changed again within a few minutes after leaving your office. Before he reaches his home, he will be more resolute than ever and his family and neighbors will egg him on. He is certain to bring suit against the company, for every farmer looks upon the nearest railroad as a legitimate source of income, and can always count upon the help of his neighbors when it comes to a jury trial."

"What an outrageous condition of affairs!"

"We must take things as they are," calmly replied Mr. Gilbert.

From the opening of the interview, the elder had closely studied the young lawyer. Long practice had made Mr. Gilbert skilful in taking the measure of men. He knew Algernon was eager to enter the service of the P. Q. & G. corporation, and he saw a possibility of making use of him. The impending suit was too insignificant in itself to command the time and exclusive attention of the senior counsel. He could advise and direct, but the drudgery, as it may be called, was the work of the young attorney,

anxious to make a reputation for himself. It was politic, however, to impress such an assistant with the importance of the business placed in his hands.

"Mr. Raymond," said the elder, "I should like to turn over this business to you."

Algernon's face flushed and his heart beat faster.

"Thank you for your confidence; I shall do my best."

"That is assumed; you will consult me freely and follow my directions; we may as well put things in the proper shape."

He tapped the bell on his desk and a clerk promptly responded.

"James, draw a check for twenty-five dollars to the order of Percy Algernon Raymond and bring it to me."

It was done and when signed by Mr. Gilbert, handed to the caller, who was tremulous with pleasure. "Of course your travelling and other expenses will be paid in addition to your regular bill."

"There will be no travelling expenses; President Ashland was kind enough to send me an annual some weeks ago."

"That is good; may I ask what, in a general way, is your plan of procedure?"

"If, as you say, this Tompkins brings the suit, we shall contend that his son was injured in trying to board the train while it was in motion."

"Exactly; have you any witnesses to that effect? Remember that the affidavit of the young man will be the other way."

"What of the conductor and brakemen?"

"Their testimony will be right, but the jury will not give it much weight, since they are interested persons, who the jurors will believe dare not testify against the interests of the company. You must find some outsiders, unprejudiced and reliable, who will testify that they saw young Tompkins try to get on the train after it had started."

Algernon was not lacking in a certain shrewdness.

"Suppose no such witness can be found?"

Mr. Gilbert looked him straight in the eye, still twirling his eye-glasses, smiled expansively and said in a lower voice than he had yet used:

"I am sure that if you search in the right way, you will find one or more witnesses, such as we need."

These words were accompanied by a wink, which left no doubt as to their meaning. Algernon rose to his feet with an answering smile.

"I understand; depend upon me to neglect nothing."

"Bearing in mind that we are ready to pay legitimate expenses, but you must not be too extravagant in incurring them. You will keep me informed at all points."

From the office of the elder lawyer, Algernon walked rapidly to the railway station and wasted no time in taking the train to Rosemead, which, as you will recall, was where young Tompkins met with his mishap. Although not distant from Dorpville, it lay in the adjoining county, where the case would be tried.

To Algernon's surprise he found Rosemead to be quite a village, with a church, school-house, an old-fashioned inn and more than a score of scattered dwellings. Sauntering through the place, with eyes and ears open, he went up the steps of the hotel and into the barroom, where he invited the half-dozen loungers to refresh themselves at his expense. Such an invitation is never thrown away.

Among the group who ranged themselves in

front of the bar, was a chunky, red-faced young man, whose face showed the signs of dissipation. He was loud-mouthed and profane in his talk, and evidently proud of the reputation which he must have earned of being a country sport or tough. Having heard him addressed as "Sam," by his companions, Algernon took occasion as the party lounged out on the porch and seated themselves, to touch his arm and ask in an undertone:

"Sam, can I have a few words in private with you?"

The young man showed his surprise at being thus addressed by one whom he had never seen before, but replied:

"I reckon so."

"Let's seat ourselves at the farther end of the porch, where no one can hear what we say; have a cigar."

"Don't care if I do," replied Sam, biting off the end of the weed and lighting it with a match also proffered by Algernon. Each picked up a chair and carried it beyond ear-shot of the others.

"May I know your full name, Sam?" asked the lawyer, taking out pencil and note-book.

"What do you want to know for?" inquired the suspicious youth.

"I'm your friend; I want to do you a favor."

"Going to put me on a jury?"

"Nothing of the kind."

"Wal, it's Sam Kooser; my old man is the blacksmith at the other end of the town."

"Do you know Bill Tompkins?" asked Algernon, as he jotted down the name given to him.

"Do I know him? Wal, I guess! Him and me have fout as many times as if we was brothers. Bill got a knockout though at the station a couple of weeks ago; don't like him for a cent."

"You saw the accident, of course?"

"No; I didn't, for I —"

"Hold on, Sam; I think you saw it; I'm a lawyer employed by the railroad; Bill is going to sue us; you don't want him to win."

Sam guffawed.

"It's a toss-up for me, for I hate the railroad as bad as him; both are as mean as all get out; Bill thinks he's better than other folks; goes to church regular and teaches in Sunday-school and won't take a social drink with the boys; I've no



use for such goody-goody fellows, but I'm down on your old railroad like a thousand brick."

"That's all right, Sam, but you want to do the fair thing. You wouldn't like to see Bill parading round the country, in expensive clothes and a new rig bought with the big sum of money he's going to try to steal from the company. I'm sure that if you think hard, you will remember that you saw Bill Tompkins trying to get on the train after it had started. Just put on your thinking cap."

And to help the young man in the intellectual effort, Algernon drew a crackling ten-dollar bill from his pocket, deftly folded it closely together and slipped it so cleverly to Sam that no one else could have possibly seen the action.

"Come to think," replied Sam with a grin, as he shoved the tight little twist into his vest pocket, "I believe I did see something of the kind; I hollered to Bill to let go, but he hung on, stubbed his toe and broke his leg as he deserved. Yes; it's all clear to me now," added Sam, sitting back in his chair, puffing his cigar and grinning more broadly than before.

"I was sure your memory could be depended upon. Well, Sam you will be subpoenaed as a

witness for the railroad, and won't make any mistake as to your testimony; you will be paid as a witness, and I shouldn't wonder, if everything comes out right, that I shall have something more to turn over to you. I shall want to see you between now and the trial and it will be best to come to my office in Dorpville. Of course you will keep all this confidential, and let no one know of a word that has passed between us."

"You needn't worry about your uncle," was the assuring response of the young man. Repeating his instructions, Algernon bade him good-by, walked to the station and returned to Dorpville, confident he had taken the first step that would lead him to the front of the counsel of the P. Q. & G. Railway Company.

## CHAPTER VI

### THE TRIAL

WHEN Uncle Josiah Tompkins, as he was known among his acquaintances, shuffled out of Algernon Raymond's office, he had decided that it would be folly on his part to sue the railway company for damages because of injuries received by his son. Half-way down the stairs he began to feel doubtful. When he reached the street, he was wavering and stood for a few minutes debating whether to go home or to seek further advice.

Somebody slapped him familiarly on the shoulder. Turning about the old man was face to face with smiling Mr. Hahn, chief of police.

"Well, Uncle Josiah, how are you?"

"Right peart, thankee, but plumb disgusted with myself."

"And why?"

"I've just paid five dollars to one of them lawyer fellers to prove to me that I'm too big a fool to go round without a hook in my nose."

Chief Hahn laughed so loudly that he was heard across the street.

"I wouldn't have charged you a cent to prove that for you."

"I oughter knowed it myself but I didn't; it was about my boy Bill."

"Ah! how is Bill getting on? I was sorry to hear of his accident; he's a fine fellow, is Bill."

The old gentleman gave the particulars of his interview with Algernon Raymond.

"You got into the wrong pew, Uncle Josiah; I don't know the particulars of Bill's trouble, but I can send you to the right lawyer."

"Who is he?" asked the farmer eagerly.

The chief turned partly about and pointed to the other side of the street.

"Go into the Lovejoy Building, up-stairs and into the front room on the right. His name is Merle Burton; he doesn't wear the yoke of the P. Q. & G.; he'll give you sound advice and will charge you only a fair price."

"Merle Burton," repeated Uncle Josiah; "any relation to Chase Burton?"

"His son."

"If he is as good as his father, there ain't a better young man in Dorpville."



**"UNCLE JOSIAH TOLD HIS STORY TO THE ATTENTIVE  
MERLE"**

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"He is a chip of the old block; he'll stand without hitching; put your case into his hands, and you won't make any mistake. So 'long."

Ten minutes later Uncle Josiah had told his story to the attentive Merle, who did not interrupt the narrative, showing a close interest which pleased the old gentleman.

"Wal, what do you think of it, young man?" asked the latter after he had looked about and bestowed the same attention upon Merle's wastebasket that he had given to the corner of Algeron's office.

"It strikes me that you have a good case, but we must remember several things. You and I know that your son's account of the accident is the true one, but the employees of the company will swear the other way. We must offset their testimony with that of one or more unprejudiced persons. There must be several of Bill's acquaintances, or perhaps a number who do not know him, that saw him hurt."

"I never thought of that, but being a Sunday-school teacher and a good young man if there ever was one, it seemed to me his word would be enough."

"So it is for you and me, but not for the court

and jury. Bill will hardly be able to attend the trial and you will have to act for him. I will call at your house to-morrow or next day and have a talk with your son. I am hopeful that we shall win our case, Mr. Tompkins."

The visitor shoved his hand into his trousers pocket and drew out his wallet.

"Never mind that now; time enough when we hear the verdict."

"Wal, you're built different from that chap up the street, for telling me he wouldn't have anything to do with the case. He parts his hair in the middle, smokes cigarettes and his name is Raymond."

Merle smiled to think that he and his old classmate were likely to be pitted against each other, but he was too chivalrous to refer unkindly to the sharp practice of Algernon.

"Some lawyers might have charged you a good deal more than he did."

"Wal, I'm glad of one thing," said Uncle Josiah, rising to his feet.

"I am sure that, like all of us, you have a good many things to be thankful for."

"The cigarette lawyer would have sold me out if I had given him my case."



"You do him injustice, Mr. Tompkins; he is incapable of that."

"Chief Hahn said as much as that he wears the yoke of the P. Q. & G."

"Which will explain why he declined to act for you. If he is committed to the railway company, he could not have pretended otherwise."

"It was the chief who sent me to you; I won't tell you all he said, 'cause it would make you blush like fury."

Merle was already doing that.

"I can only say, Mr. Tompkins, that I always try to do what is right; I should never plead a cause which I did not believe was just. Abraham Lincoln and many other good men made that the rule of their lives and I intend it shall be mine."

"You couldn't have a better model than Old Abe."

Uncle Josiah showed his good will by shaking hands with Merle and making him promise to take supper with him and remain over night when he made his visit to Rosemead.

It will not interest you to dwell upon the preliminaries of the suit of William Tompkins

against the P. Q. & G. Railway Company for injuries received through the fault of the company. Algernon Raymond chaffed Merle upon the assured defeat that awaited him, and more than hinted that he had made a bad break in daring to offend the powerful corporation. In return, Merle begged Algernon not to be too hard in bearing down upon him.

"We shall fight like wildcats, Pugsy, but it won't interfere with our friendship outside the court-room."

"Oh, that's all right," responded the other, as he swung his slender cane, sauntered down the street and told his acquaintances that he really felt sorry for Merle; he was too good a fellow to make such an exhibition of himself.

During the preliminary weeks, our two young friends, to use a common expression, did a good deal in the way of "sawing wood." Sam Kooser made several calls at the office of Algernon and was well coached — and well paid also — in the rôle he was to play. The conductor and all-important brakeman could be relied upon, and the lawyer was so confident of success that he induced Mr. Gilbert to leave the business wholly in his hands. The elder had an engage-

ment elsewhere at the time of the trial, to which he wished to give his attention, and this fact had more influence perhaps than Algernon supposed in leading to the arrangement named.

Let us proceed with our account of the trial itself.

It took place in the latter part of June before the venerable Judge Burnwell of the Supreme Court of the State, and in the presence of people who filled the stuffy court-room to suffocation. Among the auditors were the parents of Algernon Raymond, also a number of cousins and aunts, who had come at the invitation of the young lawyer to witness his overthrow of his conceited rival, who dared to measure swords with him. It may be added that the father and mother of Merle were also present at his request. They had a good deal of misgiving, but none the less were delighted with the mark their son had already made in the legal world.

When the case was called, Merle briefly stated what he claimed and was prepared to prove. He submitted a certificate from Doctor Conroy, the physician who had set the fractured limb of the plaintiff, stating that the patient would be unable for several weeks to leave his home. This was

followed by the deposition of the injured young man, setting forth the account of the accident to himself, with which you have become familiar, and Merle called to the witness stand a young farmer named Hartley Hoffman.

"You boarded the Express train at Rosemead on the forenoon of May 13 last?" asked Merle.

"Yes, sir; I did."

"Were you at that time in the company of William Tompkins, the plaintiff in this suit?"

"I was."

"State what you saw."

"Well, Bill was a little behind me when he bought his ticket; I stepped aboard and —"

"Was the train in motion?"

"No, sir; it hadn't started."

"What followed?"

"Bill hurried through the door of the station, and, seeing me, ran to the car, and caught hold of the guard. He had one foot on the platform, when the train started with a jerk and his hand partly slipped loose. I reached out to catch him, but he fell."

"Did he let go at the moment of falling?"

"Yes, sir; he couldn't help letting go. I jumped off and caught one arm, or he would

have fallen under the wheels; I drew him away; the conductor stopped the train and was going to have him placed in the baggage car to take to the next station, but I told him I would attend to Bill and we didn't need the company's doctor. Then the train went on; I sent word to Bill's father, who hurried down with his carriage and took him home; Doctor Conroy was there inside of half an hour and set Bill's leg."

"You are positive, Mr. Hoffman, that when William Tompkins placed his foot on the step to board the train, it was not moving?"

"I am."

"And that before he could place the other foot on the step, the train started?"

"It did; there can be no mistake about that."

"Were you the only person who was standing on the platform of the car at the time?"

"I'm not positive, but I do not remember seeing any one else."

"You saw nothing of a brakeman or the conductor?"

"I didn't see any brakeman, but I noticed the conductor."

"Where was he and what was he doing?"

"He was standing well back on the station

platform, where he could look up and down the length of the train, and see the hurrying passengers. Bill was the last and just before he reached the cars the conductor waved one hand as a signal for the engineer to go ahead; the engineer must have been watching from his cab with his hand on the lever, for he seemed to start the same instant, or a second or two before he got the signal; I shouldn't wonder if he knew it was coming and made the start before the conductor's hand went up."

Burton nodded to Algernon that the witness was his. He first made the usual motion for the dismissal of the suit, on the ground that a *prima facie* case had not been made out, but was refused as he expected to be. Assured of the impregnability of his own witnesses and knowing it was not wise to repel the sympathies of the jury, the lawyer held back some of the irritating questions in his mind, though he uttered others.

"You have said, Mr. Hoffman, that you boarded the train in advance of the plaintiff, Mr. William Tompkins; I'm not mistaken?"

"No; that's what I said," replied Hoffman, who had been well coached by Merle and warned

against attempting to bandy words with the lawyer or losing his own temper.

"And when he placed one foot on the steps, the train started?"

"Yes, sir."

"You expect us to believe your statement that the plaintiff was running to board the train, and yet was so slow of movement that between the raising of one foot and the putting down of the other, the train got under headway? You expect the jury to believe that, do you?"

"I should expect the jury to believe it if I said so, but I didn't say it."

"What did you say?"

"That Bill was hurrying across the station platform — that is he was walking fast — and that the train started while he was trying to get aboard. I had more sense than to say the train got under headway."

There were several smiles in the court-room, but Algernon did not seem to see them.

"You did not observe either of the two brakemen?"

"I'm not positive; I think —"

"Never mind what you think; such a brain as

yours is too weighty to bear down on us so suddenly."

The witness flushed and would have made an angry retort, had not Merle shaken his head warningly and interjected:

"My young friend has an idea that such remarks are witty; don't interfere with his enjoyment which no one else shares."

Algernon scorned to notice the insinuation, which caused one or two giggles.

"You say the plaintiff placed his foot on the step of the railway platform, while the train was standing still, and that before he could bring forward his other foot, the train started."

"That is true and it started with a big jerk; I think no locomotive ever jumped ahead so quickly."

"You will please not afflict the court and jury with your thoughts; you and your distinguished counsel may consider them of importance, but really they are mistaken: what we want is *facts*."

"And that's what you're getting."

"It looks the other way. Now, how long does it take you, in walking rapidly, to take two steps?"



"I never figured on it, but it must be a mighty few seconds."

"How long was it after the plaintiff put one foot on the platform before he took the next step?"

"I did not time him."

"How long do you think?"

Merle was about to object, but Hoffman was too quick.

"You just told me you didn't want my thoughts."

Even the grave Judge indulged in a shadowy smile at this neat retort.

"But it is easy to estimate."

"It might have been, but I didn't do it."

"Do you expect us to believe that between the thrusting forward of a man's foot, and the placing of the other beside it, a railway train could get under full headway? I repeat, do you expect any sensible person to believe such stuff as that?"

"No, for, if he did, he wouldn't be sensible; but a train of cars can make a bluff at running and give a jump in a mighty little space of time, which is what was done, when Bill Tompkins was thrown down and had his leg broken."

"It is quite clear," said Algernon, with a meaning smile at the jury, "that you are a friend of the plaintiff."

"I don't know anybody that's acquainted with Bill Tompkins that ain't his friend, for he's as square a fellow as ever lived."

"You say he is *square*; are you sure he isn't *round*?" asked Algernon, with a look about the court-room, to make sure that all caught his witticism.

"It was his bad luck to be round the station that morning."

Algernon's face flushed as he heard the general titter and noticed the smiles on different faces. An audience always sympathizes with a witness when a lawyer is badgering him.

"Mr. Hoffman, you think yourself a great wit."

"He is certainly too much of one for my learned friend, and he doesn't have to try hard either," interjected Merle.

Since the plaintiff had no more witnesses, the defendant called its own, three in number.

The conductor and one of the brakemen swore in substance that the complainant received his injuries because of a flagrant violation of the

rules of the company, which forbade any one to get on a train while it was in motion. The train was well started when William Tompkins burst through the station door, ran across the platform and made a flying leap for the cars. He fell; the brakeman jerked the bell cord and the train stopped within a rod or two. Everything possible was done for the injured man, whose hurts were plainly due to his own recklessness.

Merle Burton studied the two witnesses closely while they were giving their testimony. It was so clear that they were truckling to the company, and anxious above all things to retain its good will, that he believed their words would be discredited by the jury. He felt a tinge of sympathy for the two men, who placed loyalty to their employer above truth. They had been well drilled by Algernon, who in turn received his instructions from Mr. Gilbert and their story was so ingeniously woven that Merle knew he could not shake it. When they were turned over to him for cross-examination, he shook his head.

"I can hardly blame them; their bread and butter are at stake, and at the command from

headquarters they would swear that black is white."

The remark was severe and narrowly escaped a reproof from the Judge. Algernon angrily exclaimed:

"It's an outrage; you are afraid to cross-examine them."

"That is true; you have taught them too well."

At that moment, Merle caught the eye of the foreman of the jury and had the audacity to wink. The little byplay was more effective than anything else could have been.

Algernon was incensed, but aware as he was of the prejudice among most rural communities against railway corporations, he hardly needed the suggestion of Mr. Gilbert that he should arrange to secure the testimony of outside individuals, that is, those who felt no obligation to the company. When, therefore, Algernon engaged Sam Kooser and carefully instructed him in his part, he was convinced that he had obtained a star witness.

## CHAPTER VII

### THE STAR WITNESS

You have learned something about the young man who, like the illustrious first President of the Texan republic, Sam Houston, would never answer to the name of "Samuel." If any person thus addressed him, he promptly reminded such person that his proper name was "Sam."

It grieves me to say that Sam Kooser was a type which is sadly common in our rural communities. His tastes were coarse, he despised honest work, and his ambition was to be considered a tough young man, with all that the name implies. He used tobacco in both forms, drank, gambled, and in short was a youth whose quiet, sober, industrious father, the village blacksmith, and weak mother were content to let him sow his wild oats, forgetful of the truth that every one must reap as he has sown.

It should be added that Merle Burton had learned during his visits to the home of Mr. Tompkins that Sam was to be a witness for the

defence. This was due to Sam's boasts, against the warnings of Algernon. Merle quietly gathered a number of facts regarding the young man, which he held in reserve. His contempt for Kooser led him to resolve to show the fellow no mercy, when he committed perjury, as he was eager to do.

Sam slouched to the witness stand, kissed the Holy Book, swore to tell the truth, the whole truth and nothing but the truth, and then sat down with an assumption of ease which he was far from feeling. His jet black hair was plastered flat on his forehead, and his fiery countenance was blotched from dissipation. He would have looked comely, but for the effects of his vicious indulgences. The dark and rather vague mustache was attractive, and the conformation of his countenance was not bad, but the sloping forehead and the bulging of the skull behind the ears showed unmistakably the low moral tone of the young man.

Sam's necktie was of a fiery red color, his clothes loud, and his whole appearance that of the proverbial country youth who calls himself a sport. As he rested an elbow on the railing at his side, he said by his demeanor:

"I'm ready; fire away; you can't phase me."

After the usual preliminaries, Algernon, who reposed the fullest confidence in his star witness, asked:

"Did you board the Eastern Express on the P. Q. & G. railroad, on the morning of May 13 last, at Rosemead station?"

"Yes, sir," replied Sam, with a nod and a deeper flush of his face (if it can be admitted that a more pronounced crimson tint was possible), at the consciousness that every eye in the court-room, including that of the Judge, was fixed upon him, and all were listening closely to what he said.

"Are you acquainted with the plaintiff, Mr. William Tompkins?"

"I've knowed him ever since he was knee high to a grasshopper."

Uncle Josiah, who was sitting at the elbow of his counsel, remarked to him in a husky whisper:

"Bill has walloped Sam often enough for the scamp to remember him all his life."

"Did you see William Tompkins on the morning named?"

"I did."

"Where?"

"At Rosemead station."

"State the circumstances."

Sam recrossed his legs and assumed an easier posture. He was fast gaining self-confidence.

"All the passengers had got aboard, the conductor give the signal to the engineer and he started. Just then Bill Tompkins busted through the door of the station, and come running for the train, where I was standing. The conductor yelled to him to stop, but he dived straight ahead, for he was bound to git aboard."

"Never mind about the conductor," interrupted Algernon with a frown; "what did *you* do?"

Merle Burton was quick to catch the meaning of this slip. The conductor had said nothing about warning young Tompkins, when the latter was hurrying to the train, nor had Kooser referred to it in any of his talks with his counsel. The testimony was wholly voluntary, Sam in his eagerness to help his side stepping over the barriers set up by his adviser. He thereby became one of the most dangerous of all witnesses for the defence, being the too willing one. Algernon saw the pitfall into which the youth



was about to step, and was prompt to draw him back. Merle's face was like that of a wooden man, but you may be sure the meaning of the episode was not lost upon him.

"I yelled to Bill to keep back, but he wouldn't stop; coming alongside the car, he run three or four steps and then made a jump; I reached out my hand to catch him and come purty near doing it, but missed and he turned several flip-flaps; Bill was always as awkward as a bull-frog."

Uncle Josiah was so angered that he leaned forward to say something to Merle. The latter motioned to him to hold his peace and give attention to the testimony.

"What followed?"

"The train stopped mighty quick and I helped carry Bill into the station, where Hartley Hoffman stayed to look after him, and I didn't see anything more of Bill, who deserved all he got for playing the fool as he did."

"Mr. Kooser," said Algernon so impressively that the witness did not protest against the formality; "you are sure the train was in motion when William Tompkins attempted to board it?"

"I'd swear to that."

"You have already done so."

Merle was tempted to throw in a cutting remark, but restrained himself.

"The train was jogging along purty fast when Bill tried to git aboard," answered Sam.

Having emphasized this point, which was the crucial one, Algernon turned to Merle.

"The witness is yours."

"Mr. Kooser," said Merle in a smooth, persuasive tone, "I understood you to say that you left Rosemead on the forenoon of the accident on business of your own: what was the nature of that business?"

Before the slightly flustered witness could reply, Algernon made objection on the ground that the matter was irrelevant and had nothing to do with the question before the court. Judge Burnwell sustained the objection. Merle bowed and took another tack.

"You are sure that the day on which you made your little journey was May 13?"

"There ain't a bit of doubt about it."

"How do you fix the date in your mind?"

Sam smiled confidently.

"I knowed it, 'cause it was the day of the

Union picnic in Tarrant's Woods; half the people in the train was going to the picnic, which was the first of the season; I 'spose Bill was heading for the same place, but," added Sam with a chuckle and leer, "I've heerd he was bound on a little private picnic at Hazlett."

"You are absolutely certain that the accident which you saw occurred on the day of the Union picnic in Tarrant's Woods."

"Haven't I told you so? Reckon you'd better prick up your ears."

Algernon saw the trap toward which his man was heading and tried to save him, but Merle pressed his point remorselessly.

"Now, since you were on the train which was carrying a large number of people to the Union picnic in Tarrant's Woods, you will please tell the court and jury the date of that picnic."

Sam became scared, fidgeted in his seat and looked appealingly at his counsel, who with a great show of indignation sprang to his feet.

"I object; what has the date of the picnic got to do with the accident?"

"It has everything to do with it," replied the Judge, nodding toward Merle:

"Counsel will proceed."

"I can't say that I remember," replied Sam, when the question was repeated.

"But the rest of us do; the picnic took place on Thursday, May 15; the accident to Mr. Tompkins occurred on Tuesday, May 13. Be good enough, Mr. Kooser, to explain this discrepancy."

Sam was hopelessly entangled by the declaration and the question. He crossed and recrossed his legs, coughed, and once in his confusion put his hat on his head and then snatched it off again. The indignant Algernon leaped up once more.

"This is an outrage —"

"What is an outrage?" demanded Merle.

"Your asking such irrelevant questions; they have nothing to do with the case; you have confused the witness —"

"So the court and jury have perceived; sit down, my learned friend; you are only making an exhibition of yourself."

"The question is proper," said the Judge.

"My exception will be noted," snapped Algernon, dropping into his chair.

The brief diversion gave Sam Kooser time to

gather his scattered wits. With a forced grin he said:

"I forgot something."

"What is it?" asked Merle; "did you attend the picnic at Tarrant's Woods?"

"Yes, sir, just as I said; it was another fellow I saw tumble as he tried to get on the train."

"Who was he?"

"I don't remember his name."

"That memory of yours is the most remarkable I have ever known; Samuel, you may retire; we have had enough of you; I shouldn't wonder if your side got a little more than it bargained for; the next time you concoct a series of falsehoods, get some one else to coach you, so that they will bear a partial semblance to truth; it is probable that your next appearance in court will be to answer the charge of perjury, for which the penalty is a term in prison."

Algernon saw that it was hopeless to attempt to bolster up the testimony of his witness, who had made such a bolt and run away from him. Sam slunk from the stand, with a shiver over the terrifying threat just made.

Despite the extinguishment of Sam Kooser, Merle Burton was far from satisfied with the situation. Investigation on his part showed that the only witnesses of the accident were the conductor, one of the brakemen and Hartley Hoffman. Quite a number saw Tompkins immediately after he fell, but their testimony was of no account, since the vital point was the very brief period occupied by Tompkins in trying to board the train.

Kooser, the witness, was eliminated from the question, and no further thought need be given to him. The remaining testimony was that of the brakeman and the conductor. This testimony was in a sense "tainted," since they were employees of the company and would have been hardly human if they had not done their utmost for their master. The brakeman was a young man of no special standing, but Spencer Hemphill had been for twenty years one of the most popular conductors on the road, and was held in high esteem by the thousands who had travelled under his care. It was noteworthy, too, that he was specially liked in the rural sections, particularly by the mothers and children because of the kind attention he always gave them. More than

one member of the jury had a warm feeling for "Spence" Hemphill, on account of his courtesy to them and their families.

It will be understood, therefore, that what he said on the stand had weight. The majority of the patrons of a railway look upon it as legitimate prey. Many a strict churchman, careful in all the small things of life, sees no wrong in cheating a railroad out of his fare. How many parents are honest in giving the right ages of their children, when the conductor inquires why they are riding on half-tickets? The jury before which the suit of William Tompkins was tried was an average one. Doubtless each member was impressed with the solemnity of an oath, and with most of them it outweighed their prejudices.

Such being the fact, how would the jury decide as to the conflicting evidence?

The only two witnesses to be reckoned with were Hartley Hoffman, a passenger, and Conductor Hemphill. How could their conflicting views be reconciled?

If both believed their own words, which man was the better judge of what he saw? Beyond question the railway veteran was the superior of the other. To sum up, it may be said that

the affidavit of the plaintiff was offset by the testimony of the brakeman, since one was about as much interested as the other; the real witnesses were the conductor and the passenger. Had Merle been able to add a second witness to his side, he would have been certain of the verdict, but such a recourse was beyond his reach.

"May it please your Honor," said Algernon Raymond, rising to his feet, and holding a sheet of paper in his hand, on which he had pencilled his notes. He bowed first to the grave Judge, who removed his spectacles, settled back in his chair, and looked calmly at the lawyer, with an inclination of his head for the millionth part of an inch. "I wish to thank the court for its patience and courtesy, and the high-minded and intelligent jury for their careful and close attention to the proceedings, a portion of which must have shocked you. I beg you to remember, gentlemen of the jury, however, that the counsel for the plaintiff is a young man, that he was admitted to the bar but a short time ago —"

"One week in advance of you," interposed



Merle, as he leaned back in his chair and looked smilingly in the face of his old acquaintance.

"Ahead of me, so far as *time* is concerned," replied Algernon on the instant, and Merle joined in the laugh at his expense; "I beg you to be indulgent with my friend; he means well, and one of these days will probably know more than he does now, which isn't saying much; for he certainly can't know less and retain his place as a member of our profession.

"But, laying aside these trivialities, gentlemen of the jury, I crave your indulgence for a few minutes, while I briefly call your attention to several fatal defects in the claim set up by the plaintiff in this case.

"I may say that if I were addressing some juries, I should dwell upon the prejudice felt in many quarters against all railway companies, — a prejudice which in some instances has led to grave injustice toward these indispensable agencies in the development of our country and the lifting of it to a higher plane of civilization. But to animadvert upon this unfortunate but indisputable fact in the present instance would be an insult to your intelligence, to your honesty, and to your fair-mindedness.

("Not bad in the way of flattery," reflected Merle, "if he doesn't rub it in too hard.")

"Divesting the question of all sophistry and surplusage, it narrows itself down to this: Did William Tompkins, on the forenoon of May 13 last, attempt to board our Eastern Express, at Rosemead station, after it had started, or did the train start while he was in the act of boarding it? If the latter is the fact the P. Q. & G. Railway Company is responsible for the unfortunate accident which befell the plaintiff and should pay him fair damages therefor, but not the preposterous sum he claims. If, on the other hand, William Tompkins tried to get on the train while it was in motion, he and he alone is blamable and no damages can lie against us, for such an attempt was not only foolhardy, but it was a flagrant violation of the rules of our company known to all passengers.

(Merle smiled at Algernon's merging of his personality into that of the great corporation. At the same time, there was no questioning his cleverness in the presentation of the case.)

"The plaintiff swears that the train started after he had placed his foot on the platform of

the car. Of course he makes oath to this, else he would not be properly before the court. The witness Hoffman testifies similarly, and possibly — mind I say *possibly* — believes what he says. I beg, however, to state a fact to the jury, which may or may not have significance. Three months ago, Hartley Hoffman applied to us for a situation as brakeman. We set inquiries on foot, and came to the conclusion that he wasn't the kind of man we needed: *that* may show the milk in the cocoanut.

“Against his rather too willing testimony we place that of Spencer Hemphill, conductor of the Eastern Express. That of others has more or less weight, but the plaintiff produced but one witness, and I will pit only one against him; I am willing to let our case rise or fall by a careful weighing of the testimony of Spencer Hemphill and Hartley Hoffman.”

(“Pugsy is shrewd in ignoring his star witness, Sam Kooser, and no one could do better than he has done thus far.”)

“The testimony of Hemphill and Hoffman cannot be reconciled. One is right and the other wrong; each believes what he says, for neither

will swerve from what he thinks is the truth. It is for you, gentlemen of the jury, to weigh the probabilities.

"The thought has naturally occurred to you that every railway employee must be prejudiced in favor of the company which employs him. This may very well be true in some instances, but it is impossible in the case of Spencer Hemphill. We all know him as one of the most high-minded of gentlemen, one who would scorn to misstate a fact. Is there any man in this room who will say, 'Spencer Hemphill is a liar!'"

There was a dramatic touch in the question, which was asked in a loud voice, with flashing eye and impressive gesture.

"No! every one of you would resent the charge as a personal insult to himself. The P. Q. & G. Railway Company wants no employee whose soul is not his own; who fears to tell the truth, the whole truth, and nothing but the truth, no matter whom it will hit or hurt. Such has been our policy from the first, and such it will be to the end.

"Opposed to the unimpeachable word of Mr. Hemphill, the plaintiff puts on the stand a ver-dant youth who has a grievance against us.

We find him unworthy of employment, and it is only human nature that he should feel resentful, and seize the first opportunity to strike us an unfriendly blow.

“ But, suppose we admit that Hoffman was honest and believed what he said, which witness is the most capable of judging of a fact connected with railway matters, — a stupid, underwitted youth, who knows not the first thing about railroading, or the veteran who years ago became a pastmaster in every phase of it? Suppose Hemphill and Hoffman had their eyes upon Tompkins at the same moment, which of the two is the better judge of his actions? There can be but one answer to this question, and that by your verdict you will pronounce the answer I have no more doubt than that the sun is shining at this moment in the summer sky.

“ ‘ For right is right, since God is God,  
And right the day must win ;  
To doubt would be disloyalty,  
To falter would be sin.’ ”

Algernon sat down, wiped his perspiring forehead, and leaned back in his chair, well satisfied with his effort. There could be no question that he had made a good presentation

of his case. Every hearer conceded the fact, and none more ungrudgingly than Merle Burton. The father and mother smiled proudly, and each felt like going forward and patting Algernon's head approvingly. All were sure the plaintiff's lawyer had the severest kind of a task on his hands.

"My learned friend has done the best he could with a bad case," said Merle in opening; "he has shown considerable skill in trying to befog the minds of the jury; the P. Q. & G. will surely gratify his ambition and make haste to secure his services for the future.

"The great P. Q. & G. Railway Corporation, with a defiant disregard of its own rules, inflicts grave injuries upon one of its passengers. His leg is broken through no fault of his own; he has been confined to his room for several weeks, and it will be months before he can give his valuable services to his father, who is in moderate circumstances and is in need of his son's help. Despite the skill with which the surgeon set the fractured limb, it is possible that the young man will never fully recover its use, and will never be the fine, sturdy athlete which, thanks to his rugged, outdoor life and

good habits, he has been from his youth to manhood. Such being the fact, the least that the P. Q. & G. Company can do is to make the partial and only compensation that can be made through money damages. The single way to touch its sensibilities is, as may be said, through its pocket. Since none will dispute this axiom, the simple question for the jury to decide is whether the company is responsible for the injuries received by the plaintiff, Mr. Tompkins.

“We called but one witness, Hartley Hoffman, confident that his testimony would remove all doubts from your minds. He was closer to Tompkins than any one else when the accident occurred; indeed, he reached out his hand to give the endangered young man assistance, and, as you are aware, sprang off the train to shield him from further harm and to aid him afterward. What position could be more favorable for seeing exactly what took place? Does a man have to be a railway conductor to observe that which occurs directly under his own eyes? If one of you jurymen takes out his watch when the town clock is striking, does he call a railway conductor to inform him whether the timepieces

agree? If you should leap over a fence to escape a runaway horse, do you have to summon our good friend, Conductor Hemphill, to let you know whether you did it quickly enough to save yourself?

"That my learned friend is convinced that a railway employee may be prejudiced is proved by his ignoring the testimony of the brakeman. His eagerness to win the approbation of the company which employs him was a little too apparent. He hindered more than he helped. Counsel for the other side went out of his way to attack the character of our witness, Mr. Hoffman. All of you who are acquainted with this young man know that in that respect he is unassailable. Counsel was guilty of unprofessional conduct, of which any reputable lawyer would be ashamed —"

"What do you mean by that?" demanded the indignant Algernon.

"You stated that Hoffman had made application to the P. Q. & G. Company for employment."

"So he did," snapped Algernon.

"You made the assertion without any warrant whatever and on your own responsibility.



He has assured me on his honor that nothing of the kind ever took place."

"It is his word then against mine."

"Rather truth on his part against falsehood on yours. I challenge you to produce the proof of your charge."

Algernon was about to make a hot retort, when the Judge sternly called the two to order, and directed Merle to proceed, confining himself to the case.

"Begging your Honor's pardon, I was striving to do that when interrupted. To continue, I made no attack upon the defendant's chief witness. I concede all the moral qualities that are claimed for Mr. Hemphill; I do not question his honor, but I do maintain that his situation was such that he was a poorer judge of what took place than the young man who extended his hand to the endangered Tompkins.

"We offered one witness; the defence brought three forward, but was compelled to fall back on a single one, and to base his claim to credence upon his personal character instead of the surrounding circumstances.

"Who of us can ever forget the shameful exhibition made by the one who it was expected

would prove the star witness for the defence? Samuel Kooser, or 'Sam,' as he prefers to be called, the most notorious scamp in Rosemead, who spends his days and nights at the village tavern, drinking, gambling, carousing, and living off the earnings of his father, the hard-working village blacksmith. He is the precious youth who goes upon the witness stand, and in the desire to earn his fee, forgets the careful coaching of his mentor, takes the bit in his teeth, and runs away from his counsel, before he can be reined up.

"Now, while counsel for the defence employs such disgraceful methods, is it not the strongest of all proof that he knew justice was not on his side? Small wonder that my learned friend made no reference to Sam Kooser's testimony. He showed a flash of good sense when he fell back on the claim that Conductor Hemphill was the better judge of what occurred because he is a railway veteran, while Hoffman is not, forgetting the all-important fact that Hemphill stood at least twenty feet away, while Hoffman was near enough to Tompkins to touch his outstretched hand. The undimmed vision of healthy youth is more reliable than

that of middle age, especially when middle age is not wearing spectacles, as was the case with Conductor Hemphill."

Despite Merle's creditable effort, he was far from satisfied when he sat down. Had the jury been ordered to make up its verdict within the following five minutes, he knew he would win, but he feared the discussion in the jury-room. The comparison of views there would bring to light the unfairness not only of some of Algernon's statements, but of several made by himself.

Merle was in this gloomy mood, and the Judge was shifting his papers about, preparatory to making his charge, when Uncle Josiah Tompkins reached over the young lawyer's shoulder.

"I was asked to hand you this," he said, in a hoarse whisper.

The wondering Merle took the folded piece of paper from the horny fingers, opened it and read the following, written in a scrawling hand, with the stub of a lead-pencil:

*"Call me.*

*"JACK DISBROW."*

## CHAPTER VIII

### A REAL HERO

You will think this chapter is a curious turning aside from the story I have set out to tell, but wait until you have read to the end.

One of the most terrific battles of the War for the Union was that of Shiloh or Pittsburg Landing, fought on April 6 and 7, 1862. The losses on both sides were appalling. General Sherman was among the wounded and General Albert Sidney Johnston, in command of the Confederates, was killed, but so fearful was the assault upon the Federal army on the first day that General Grant escaped being overwhelmed and driven into the Tennessee River only through the most desperate fighting. The arrival of reinforcements before the supreme struggle on the second day, when the Union forces outnumbered the Confederates, enabled them to turn defeat into victory, and the cause of the Union was saved from what would have been an almost fatal wound.

Among the multitude of wounded who lay moaning and gasping in the spring woods was a beardless lieutenant of the —— Iowa. He had been hurt unto death, and went down where he was stricken, and lay for an hour seemingly with no more life in his body than the trunk of the gnarled oak, which partly shaded him from the rays of the noonday sun. When two wearied members of the hospital corps, who were hunting out and ministering to the wounded, paused beside the prostrate form, one of them knelt down, felt the pulse, examined the frightful wound, and shook his head.

“He won’t live another hour; it’s not worth while to bother with him; hundreds are awaiting our help,” and the couple passed on to where other shrieking sufferers lay.

It was scarcely a half-hour later, when another man pushed through the dense foliage and undergrowth, and, observing the prostrate figure, halted and looked down at it. This man was a soldier of the——Illinois, of great stature and of herculean frame. He was yet in his teens, with round, ruddy cheeks, and the strength of a giant. He had fought heroically, without receiving a scratch, though tired and

streaming with perspiration. His regiment had been stampeded, and he was hunting his way back to it, mad through and through that the force to which he was attached had given ground. His expressions of disgust were many and emphatic.

Staring into the white face, with its half-closed eyes, the private knelt, lifted the limp arm, and felt the pulse. He detected a faint flutter, and, as he looked at the handsome features, the eyelids gave a slight flicker.

"He ain't dead yet," whispered the giant soldier, who flung his musket a dozen feet away into the bushes. "I know what a chap in his fix wants more than anything else on earth, — it's water, and if there's any in the State of Tennessee, he shall have it."

With the tenderness of a mother handling her nursing babe, the huge fellow slipped one arm under the shoulders of the young officer, while the other arm slid beneath the knees. Then he straightened up as easily as if he were lifting a child's doll. The cap of the lieutenant fell off, but the private did not notice it. He meant to carry the officer to water, thereby saving some

of the precious moments that it would have taken to carry the water to him.

He walked with strong, deliberate stride, peering on every side, and carefully shielding the boyish face from the brushing limbs of the trees. Now and then he glanced down at the white countenance, and his big heart melted with pity.

"He is still breathing, and somewhere there's a father or mother or sweetheart that is praying for his life; God help him; and hang it! why don't I find water!"

He tramped another half-mile, swearing at intervals at the absence of the life-giving element and uttering prayers that his charge would hold out a little longer. Suddenly he caught a gleam among the twisted roots at the foot of a cypress. A spring of clear, cold water bubbled from beneath and meandered out of sight among the undergrowth.

"Now, my boy, you'll soon be all right," exclaimed the private to ears that heard not.

He laid the lieutenant on the leaves, hardly yet dried from the spring snows and rains, took off his own cap and dipped it into the water. The fluid filtered through the blue cloth as if

it were a fine sieve, but the soldier, through his quickness, was able to save enough to hold it to the lips of the officer, whose head was gently raised by the other arm of his deliverer. He drank eagerly, and twice again was the nectar pressed against the burning lips. Then he sighed with relief, and his large blue eyes looked the thankfulness they could not speak.

Dipping up handfuls of water, the soldier rubbed it over the forehead, down the cheeks, and through the soft, yellow hair. Then he gave his attention to the wounds of the lieutenant. While doing so he noticed for the first time that the sleeves of his own coat, his open shirt front, and even his trousers were plentifully stained by the life current of the poor officer. The Good Samaritan washed the hurts, and, tearing his shirt into strips, dressed and bound them up as best he could. Rising erect, he looked down with a grin into the wide-open eyes, and made his best military salute.

"Bully for you! I don't know whether you're going to pull through or not, lieutenant, but never say die; there's mighty good stuff in you, or you wouldn't have hung on as long as



you did; keep up your pluck — ah! here comes somebody!”

The sound of footsteps was followed by the appearance of another squad of the hospital corps with stretchers. The crimson battle-field covered a wide area, and the wounded were gathered up from several square miles of plain and forest. While bearing his burden to this spot, the private had passed close to many a stark form. He hastily told his story to the men, who, after a quick examination, placed the lieutenant on one of the stretchers to be borne to the temporary hospital so near by that there was no need of using an ambulance.

“It’s touch and go with him,” remarked one of the party; “I wonder he has lived so long, but those girlish fellows sometimes stand more than such giants as you.”

“Hello! he’s trying to say something,” said the soldier, who noticed the stare of the blue eyes and the almost imperceptible twitching of the lips, as the lieutenant weakly tried to raise his head from its support.

“There he goes into a half-swoon! He won’t be able to speak intelligently for some time. Do you know who he is?”

"Never seen or heard of him till I come upon him in the woods."

"He probably wants to thank you for what you did. If you will go with us to the hospital, he may be able to talk a little with you."

The bearers were already disappearing among the trees. The private swore.

"I don't want anything of that; I'll keep on hunting for my regiment; from the way it was running when it got away from me, I don't believe I'll overtake it this side of the North Pole. I'm shy one musket, but I reckon Uncle Sam can stand the loss, and give me another."

And turning on his heel, the towering form vanished in the wood, like a man who was in a hurry, as was the fact.

The name of the frightfully wounded lieutenant was Hugh H. Ashland, son of a division superintendent of the P. Q. & G. Railroad, then a much less important corporation than it became after the war. The lieutenant, in the course of a few months, fully recovered from his wounds, rejoined his command, and served until the sun of the Southern Confederacy set forever behind the hills of Appomattox. Never

again was he harmed, and his gallantry won him a colonelcy, and the offer of a commission as captain in the regular army. He declined, and entered the office of his father, where his ability, united perhaps with a certain "pull," brought him rapid promotion. He succeeded to his parent's office at his death, and some years later his executive skill and unquestionable merits made him president of the powerful corporation, whose tendrils were putting out in almost every direction.

One of President Ashland's finest traits was his profound gratitude and his loyalty to his friends. He could never forget that, under Heaven, he owed his life to the unknown Illinois private, who, when the lieutenant was hovering on the verge of death, carried him in his arms for a mile through the spring woods, gave him to drink, bathed and dressed his wounds, and then, when he could do no more, surrendered him to a hospital squad. The words which the young officer vainly tried to speak, when lying on the stretcher, were a request for the name and address of his deliverer. As soon as he recovered, the lieutenant set inquiries on foot, but he was handicapped while in service, and

could do little until the close of the war. Then he resolved to learn whether the soldier was dead or alive, and, if alive, to prove his gratitude for one of the most heroic acts of friendship ever shown on the field of battle.

Finally, after several years' work, Ashland ran down his man. The messenger whom he sent out with orders not to return until he had secured definite information wrote:

"I have found him; his name is Jack Disbrow, and there is no mistake as to his identity. He was greatly pleased to recall the incident, and when I told him who you were, he remarked that you didn't look much like a division superintendent of railway, when he stumbled upon you in the woods. I then handed him the gold watch and chain, as you instructed me to do. It would have done you good to see his astonishment. At first he refused pointblank to accept the present, saying he didn't want to be paid for 'a little thing like that.' I assured him your feelings would be much hurt if I reported his refusal, and he then took out the silver time-piece with which the company supplies its engineers, laid it down and slipped your gift into his waistcoat pocket and adjusted the chain, so it

would dangle properly when he moved about. He was as happy as a child with a new toy, and I know he has shown it to all his friends and acquaintances.

"Jack Disbrow went through the war without the slightest harm. He was in the West when the final gun was fired, and he is one of the few to whom Congress awarded a special medal for exceptional bravery. I have heard from others that the fellow who is so modest was one of the most daring soldiers that ever lived. The wonder is that he was not killed in the first of his foolhardy exploits.

"You will be pleased to receive this report, but it is my duty to tell you that Jack Disbrow is a pretty tough specimen in other respects. I never heard a more profane man, he is a hard drinker at times, and he naively remarked to me that the misfortune of his being so big and strong is that he can't get into as many fights as he wishes. Everybody seems to be afraid of him, no doubt for the best of reasons. He is employed as freight engineer on a little railroad in East Tennessee, and has the reputation of being one of the best. I have no doubt that but for his wildness he would have been given

a passenger engine long since. I await your further instructions."

Within ten minutes after the reception of this letter, the following telegram, signed by Division Superintendent Ashland, was wired to the messenger at a remote station in Tennessee:

"Tell Disbrow that if he will enter our service, I will give him a situation at once as engineer at double the wages he is now receiving."

"I don't throw such an offer as that over my shoulder," grimly remarked the grinning Jack, when the despatch was read to him; "I reckon that will please the best young woman in the world, which her name is Molly Disbrow, and she's the wife of the most good for nothing scamp that ever lived."

Thus it was that Jack Disbrow entered the employ of the P. Q. & G. Railroad. The meeting between him and the superintendent had a certain sacredness upon which we must not intrude. The superintendent, like the careful man he was, waited a few weeks during which Jack served on the freight, before he gave him charge of an accommodation train. A year after, when Hugh Ashland succeeded to the presidency of the corporation, on the death of his father, he

asked Jack to name the run which he considered to be the best on the P. Q. & G.

"The Eastern Express between Dorpville and Quinton; it's only sixty miles, and the run is made each way; it leaves Dorpville at nine o'clock and Quinton at three; there are few stops, no night work, and a fellow's hours couldn't be better."

"You know there is a corresponding run the other way."

"There isn't much difference between 'em, but I'd rather live in Dorpville, and, according to my fancy, the Eastern holds the trump card."

"On the first of next month you will take that run; there! I don't want any back talk; I'm busy; clear out; good day."

It was about this time that Mr. Ashland's only son was born, and he received the name of "Jack," in honor of the engineer. A month after Disbrow began his new run, Conductor Hemphill reported him for running too rapidly, against orders, in order to make up lost time. The superintendent called him into his private office.

"Hemphill, you are one of our best conductors, and we appreciate you, but don't forget

one thing, — Jack Disbrow has a bigger pull at headquarters than either you or I; if you have any criticism to make of him, speak to him privately; he will take it all right, but never report him; *it won't pay*; you catch on."

Conductor Hemphill did catch on, and from that time forward he and Jack Disbrow became the closest of friends. The engineer was too manly to presume upon the friendship of the president, and he respected the rights of others.

None the less, it cannot be denied that he was anything but a model in his conduct when off duty. His profanity was as picturesque as it was shocking; he dearly loved a row, and no man could drink as much red liquor and stand up under it. He had more than one run in with the police of Dorpville, but with all Jack's toughness, he showed a certain chivalry which won him friends. Most of his fights were in protecting the innocent or those imposed upon; he would part with his last penny to help a hungry man; he would defend a friend to the death, scorned to tell a falsehood in any circumstances, and loved to adoration the sweet, gentle Molly, whom he grieved every day, and who



loved him as devotedly in return, and made him the burden of her prayers night and morning.

Jack had been running the Eastern Express several years when the most momentous crisis of his life came to him. He was feeling in specially good spirits, one cold night in winter, and, though he had drank little, and scarcely felt the effects therefrom, he was determined to have some fun before going home. He was alone, looking for the opening, when the sight of a burning lamp over the basement door of a Methodist church caught his eye.

"That's the place!" he muttered, with a chuckle; "I'll go in and stir up the brethren and sisters."

Jack softly passed within and took his seat at the rear of the room. He moved so quietly that he drew no attention to himself. He even raised his cap in front of his face, thrust his nose within and closed his eyes, after the custom of those good people who spend a few minutes in prayer after entering a place of worship. Then as he looked around, almost the first person whom he recognized was his wife Molly, seated well up front. She was one of the most

devout workers in the church, and his heart smote him at sight of the noble woman.

"I've made a mistake," he said to himself; "I forgot all about Molly; I don't care for the rest, but I ain't mean enough to hurt her feelings."

A noted evangelist was making an appeal to the listeners. Jack fixed his attention on him, and it was not long before strange feelings came over him. He was sure the man was speaking directly to him, and every word he uttered went straight home. For the first time in his life, Jack awoke to a sense of his wickedness. He shivered with a terror which was beyond his control, and which intensified with each passing minute. When the preacher asked those who felt the need of saving their souls to come forward to the altar to pray and be prayed for, Jack was the first to accept the invitation. There was not a person in the room who did not recognize the giant form, which resolutely strode up the aisle, and, with the tears streaming down his face, dropped groaning on his knees. From more than one ejaculations of praise were heard, while behind him a proces-

sion of mourners hurried forward. Molly did not see her husband until he swung past her, and then she almost swooned with emotion.

Jack had not been on his knees more than five minutes, praying with all the fervor of his nature, when he uttered a shout:

“The Lord has forgiven my sins! Glory to his name!”

God is quick to hear the cry of the penitent, and there was rejoicing in heaven over the return of the sheep that had wandered so far from the fold.

Still on his knees, there flashed into the memory of Jack Disbrow the hymn that he had heard his mother sing, forty years before, when he was little more than a prattling infant. Not for a generation had he thought of the sacred words, and, had he tried to recall them, it is not likely he could have remembered a single line. Amid the excitement caused by his conversion, Jack now burst forth in his musical baritone:

“Just as I am, without one plea,  
But that Thy blood was shed for me,  
And that Thou bidst me come to Thee,—  
O Lamb of God, I come.”

He sang all the stanzas without halt or break, his clear, ringing tones being heard above all the other voices which were quick to join in the familiar hymn. Every heart was thrilled.

Jack, having obtained the priceless prize, was kindly asked to seat himself, as the position was less irksome than on his knees. As he sat back on the bench directly behind him, his wife hurried to his side and flung her arms about his neck. He almost hugged the life out of her.

"It's all right with the Lord, Molly, but can *you* forgive me?"

"I have nothing to forgive, Jack, and you have made your peace with God."

The conversion of Jack Disbrow was as complete as that of Saul of Tarsus. Such an aggressive nature could never content itself with a simple dress parade on Sunday, and from the first the herculean engineer was a worker in every sense of the word. Having scant school education, he joined a Bible class, in which there was no more earnest student; he organized a temperance society and a prayer-meeting, especially for railway men. Since his evenings were his own, plenty of time was at his command. His genial, honest nature had a mag-

netism of its own, and no human standard can measure the good he did among his associates.

When President Ashland learned of Jack's conversion and his labor among his employees, he sent him a check for a thousand dollars, with instructions to call upon him whenever he was in need of funds.

Jack's fireman, Lon Trimble, was the son of another engineer and inclined to be wild. Jack talked in a fatherly way to the young man, but with slight result. Once or twice Jack detected the odor of liquor on Lon, and warned him that he was certain to lose his situation, unless he stopped drinking. Lon was sullen, and muttered several words which the engineer did not hear.

That night Jack sauntered down the main street of Dorpville, turned into an alley, and soon thereafter entered the famous drinking-place known as "The Owl." The Poole brothers were smoking big black cigars, each with a glass in front of him, on a little table in the corner. The bartender was in the act of serving a drink to Lon Trimble, who had already swallowed a couple. The back of the young

man was toward Jack, and he did not look round.

The Pooles recognized the last comer, and the elder called out cheerily:

"Glad to see you, Jack! Sit down here with us; what'll you have?"

Disbrow did not reply or even look at the men. Two strides carried him to the side of Lon, and reaching out his huge, hairy hand, he took the glass from the young man as he was in the act of raising it to his lips, and flung it and the contents on the floor.

"Now, come out of this hole quicker than you come in, or I'll throw you out."

The Poole brothers were large and powerful men. The elder made some claims to a knowledge of pugilism, and both reddened with anger at the words and action of the engineer. The brothers sprang to their feet the same instant.

"We don't allow any one to come in here and act the blackguard; The Owl is a respectable place; Mr. Trimble is a guest of ours, and we shall protect him; if you don't know enough to treat him right, we'll fire you out."

Right there the trouble began. The bartender, who dressed like a "sport" and wished

to be accepted as one, hurried round the end of the bar to the aid of his employers. Lon had sense enough to remain neutral, and, shrinking in one corner, out of the way, he watched the scene, in such a state of affright and collapse that he could not call up sufficient energy to flee from the place.

"Being as I had started, I thought I might as well make a clean job of it," said Jack, in relating the incident to Molly, when he had gone home; "so, after I had banged the elder Poole behind the stove, I piled the other on top, and nailed the two down with that dude of a bartender. I smashed every bottle in sight and give the under Poole a bath in his own p'ison, for it ran several inches deep on the floor. Then I lifted Lon by the nape of his neck and the seat of his trousers, and hoisted him outdoors. I told him the next time he set foot inside The Owl, I'd boot him all the way home, taking pains to go past the house of his girl, so that she might enj'y the show — Are you sure I done right, Molly?" abruptly asked Jack.

The wife looked up from her sewing and asked in her gentle way:

"Has your conscience reproved you, Jack?"

"Hain't heard it say anything," replied the giant with a grin.

"Then rest content; I certainly shall not be the first to speak a word of reproach."

Nevertheless, a couple of days later, Jack was forced to pay heavy damages, for he had clearly violated the law, which takes good care to protect those who are morally entitled to no protection. The Poole brothers were too proud to make a charge of assault, for that would have been an admission that three men, one claiming to be a master of the manly art, were not the equal in a rough and tumble fight of the most famous engineer of the P. Q. & G. Railroad. Jack was declared guilty of malicious mischief, and, as he counted out the bills from his thin pocket-book, and laid them before the magistrate, he remarked:

"It was worth it; I'm going to keep a reserve fund for such fun, which I'm always ready to pay for."

Two years passed, during which Lon Trimble never crossed the threshold of The Owl, and for that matter, he has never tasted liquor to this day, which covers a long stretch of years.

Then came the great railway strike, which



involved the P. Q. & G., and all its branches, while other lines struck through sympathy. There was a time when hardly a wheel was turned, with the exception of the trains which carried the United States mail. As is inevitable, scenes of violence and bloodshed followed, and several lives were lost. When the mail was obstructed, the national government interfered and partial order was restored.

Jack Disbrow did not belong to the Brotherhood and refused to go out. He was visited by committees and his old friends argued with him. To one and all he made the same reply:

"I'm satisfied; I've no children, but have a wife to support and I'm getting on in years; I must make provision for old age, while I can do it; I shall not join you, boys."

Then it was intimated to him that he was placing his life in peril and he could blame no one but himself for the consequences. It did not take his callers long to see that they were wasting words on such an appeal. If ever a man was devoid of fear, that man was Jack Disbrow.

Lon Trimble, still his fireman, who had been married but a short time, yielded to the prayers

of his young wife and quit work, amid the cheers of his associates. So it came about one day, when the Eastern Express pulled out of Dorpville, the engineer was the only man in the cab. He was acting as his own fireman and it need not be said that he had his hands full.

Before starting, he shovelled the furnace full of coal to the door, which was latched, and he stepped up and sat down at the right of the cab. Glancing at his watch, as the gong clinked overhead, he noted that it was the exact minute for starting. He pulled the cord attached on both sides to the bell of the engine and twitched the lever. The steam hissed from the cylinders and the huge driving-wheels began slowly revolving.

As the iron horse pushed his nose out of the station, Jack saw a bigger crowd of strikers than usual and the men were in an ugly mood. He thrust back the window slide and there was not the frailest guard between him and the scowling men. With his left hand on the throttle lever, he looked out and waved the other in salutation, for every one of them was an acquaintance.

A brawny six-footer, gripping a large stone, stepped in front of the others and drew his hand

back to hurl the missile with murderous spite at the head of the engineer. At that instant another man leaped to the side of the striker and delivered a fearful blow with his fist in the jaw. The striker plunged headlong across the track. His hat fell off and the stone rolled from his grasp. He lay for a moment stunned, and then began slowly climbing to his feet.

It was Duke Trimble, leader of the strikers, who had laid the wretch low. Quivering with rage, Duke shouted:

"Jack Disbrow saved my boy from being a drunkard! He's the friend of every man, woman and child that know him! I'll kill the first one who harms a hair of his head!"

The Express, increasing its speed, quickly passed beyond reach and not a missile had been thrown at it. The universal respect and liking felt for Jack Disbrow made him the exception to the other employees, some of whom suffered woful violence. For nearly a week he acted as engineer and fireman and ran very close to the schedule. Not once was he harmed, though several attempts were made to wreck his train. Then one day Lon Trimble sneaked back on the engine and resumed duty. It may be said that

for awhile he was sheltered under the wing of his engineer. By and by the end of the strike came. Arbitration, the true method of settling all disputes, whether between labor and capital, or between individuals or nations, solved the problem, and in less time than would be supposed, everything was going smoothly on the P. Q. & G. and its tributary lines:

## CHAPTER IX

### THE TESTIMONY THAT SETTLED IT

JACK DISBROW had no thought at first of attending the trial of the suit brought by William Tompkins against the railway company, but when the engineer learned that his conductor and one of the brakemen were to appear as witnesses, he changed his mind, though without telling either of them of the fact.

Jack made his usual run to Quinton, the terminus, and then notified the road foreman that he intended to go to the trial, and a substitute would have to take his train back to Dorpville. Custom required as a preliminary in such matters that permission should be gained from the road foreman, but Jack dispensed with that formality. The foreman smiled, nodded his head and replied "All right." By taking the Accommodation, the engineer reached the courtroom somewhat late, but in time to hear the addresses of Merle Burton and Algernon Ray-

mond. They gave a good clue to what had gone before and a few questions to the acquaintances near him supplied the missing links.

At the point in the proceedings already named, Jack wrote his request on a slip of paper and asked a boy to hand it to young Burton. The lad gave it to Uncle Josiah Tompkins, telling whom it was from, and he passed it to the young lawyer, who, as may be supposed, was surprised. But he was an old friend of the engineer and had helped him in his temperance work and his labors among the slums of Dorpville. Quick to catch the meaning of it all, Merle rose to his feet and asked permission to reopen the case, on the ground of evidence which had come to him only in that moment.

"Too late," replied the Judge; "the case is closed."

"May it please your Honor, my witness is —"

"It makes no difference who he is," interrupted the Judge.

"— Jack Disbrow, engineer of the train," broke in Merle, determined to make known the identity of his man. Judge Burnwell was

fumbling his gavel, and about to bring it down, but suddenly arrested the motion.

"Whom did you say?"

"Jack Disbrow."

For the first time in the proceedings, a distinct smile showed on the face of the grave jurist and the smile lingered as he said:

"*He* is the only man that is entitled to make such a break in the regularity of our proceedings; let the witness be sworn."

The clerk loudly called the name "John Disbrow," and the engineer, who had risen to his feet at the rear of the room, came forward. His magnificent proportions roused admiration everywhere, and as the towering form swung forward, a faint ripple of applause could not be repressed. Passing in front of the Judge, he made a military salute and the official nodded:

"How do you do, Jack?"

"Couldn't be better; hope it is the same with you, Judge."

"Thank you."

No one held the grim engineer in higher esteem than Judge Burnwell. He had heard the story of Pittsburg Landing from President Ash-

land himself, and kept a warm place in his heart for the hero of that incident.

Jack wore a full, heavy beard and his hair was bushy. All noted the rapidly growing silver among both; but the dark eyes were as bright as ever, and the splendid form made no courtesy to the passing years. Without any self-assertion, or air of forwardness, Jack stood on his feet, kissed the soiled Bible, promised to testify truthfully and sat down, resting his gray cap on one knee, and looked expectantly in the faces of the lawyers and the members of the jury behind them.

Algernon Raymond felt himself in one of the most perplexing dilemmas of his life. Until the request for the hearing of the new witness, he was absolutely certain of success. He was in this mood when he received the staggering setback. Jack Disbrow had projected himself into the business and made himself the plaintiff's witness, but he was also an employee of the P. Q. & G., and naturally ought to be chary of attacking the interests of that corporation. Algernon knew from hearsay considerable about the famous engineer, but it may be said it was less than was known to any other person in the



court-room. Holding himself socially far above the man who controlled the throttle, he had never come in real contact with him. Algernon had no love for "mudsills," though always ready to use them for his purposes. In this respect, as you have learned, he was at a great disadvantage as compared with Merle Burton, who was a member of the same church with Jack and a co-worker with him in religious activities.

The engineer was in his every-day clothes, but of course had doffed his blue denim suit and looked neat and clean, as he had learned to be under the many years tutelage and care of his wife. The water had not yet dried from his shaggy hair, which lay obedient to the comb that had been run through it. True, the knot of his checked necktie had worked round under one ear, and those who studied him noted that his waistcoat was shy a button at the top and showed an extra one at the bottom, — proof that the owner had got the fastenings slightly askew when he donned the garment. But these spots on the sun could not dim the effulgence of the luminary itself.

"Mr. Disbrow, you are engineer of the Eastern Express, which leaves Dorpville each

forenoon, runs to Quinton and returns to Dorpville, every afternoon?" asked Merle Burton.

"I am," replied Jack with a modest blush showing on his bronzed countenance.

"And have been for something like twenty years?"

"Not quite that; I run the Accommodation for a time before Hugh give me the Express."

"Whom do you mean by 'Hugh?'" asked Judge Burnwell sternly, though Jack saw the twinkle in his eyes. The engineer faced about:

"Now, Judge, you know well enough; you and me always called President Ashland 'Hugh;' I've heard you do it many a time."

"Not in the court-room, or in a promiscuous assemblage," said the official with a gentle tap of his gavel and a strong effort to look severely reproachful. "You mean President Ashland."

"Excuse me, Judge, this is the first time I was ever in court, but it's all right, though it's hard to get used to calling him anything but 'Hugh;' 'spose we let it go at that," calmly added the witness, directing his attention to the smiling Burton, who was awaiting the close of the little diversion.

"You ran the locomotive of the Eastern Express on the forenoon of May 13th last?"

"I did."

"Now, Mr. Disbrow, will you please tell the jury all that you saw that had to do with the injuring of Mr. William Tompkins? Tell it in your own way and omit nothing."

The engineer settled back in his chair, his massive legs crossed and his cap still resting on his knee. The court-room was as silent as a church, and not a word, uttered in his resonant voice, was lost by the hearers.

"There wasn't much to see; when we reached Rosemead, I was two minutes late, which didn't suit me at all. It was the fault of Spence Hemp-hill, who likes to gossip with folks on the platform. He held me back three minutes at Wahoa, trying to get an old farmer to let him have some winter pippins at half price. You see I was in a hurry and wanted to make up the two minutes. I had my hand on the throttle lever, with my head out of the cab, watching for Spence's signal, which the same is made by throwing up his hand and is just a bit in advance of the yank of the bell-cord by the brakeman.

"I know Spence's ways better than he does and can tell a second or two before he does a thing, he is going to do it. Well, while watching him and just as I thought the last passenger had got aboard, I seen young Bill Tompkins dive out of the station door and head for the cars. As he was doing so, I noticed that Spence was about to signal me. I jerked a little on the throttle; it takes the smallest bit of time for the rear of the train to catch the jolt from the engine,—so little that there ain't many that would notice it. Bill had his foot on the car platform, exactly in the same second that I pulled the lever. Before he could place his other foot there, the jolt come and it was powerful sharp, too, for I was in a hurry. That young chap was yanked off his feet and had his leg broke."

"When did Conductor Hemphill give the signal for you to start?" asked Merle.

"He didn't give any signal."

"Then you anticipated it?"

"That's what I done; I knowed he was about to make it, and it was coming in the next breath; so I jerked her open. Sometimes Spence shows a little sense; when he seen Bill Tompkins head-

ing for the train, he waited for him to get on, but *I* didn't. That's just how the accident happened."

"From what you have testified," remarked the Judge, "the accident which befell the plaintiff was wholly due to you."

"There ain't a bit of doubt about that, Jedge; I was the only one to blame, and whatever damages the jury says must be paid, I'm ready to pay 'em."

"Your conscientiousness is to be commended, but the P. Q. & G. Railway is probably able to pay its own bills."

"Besides," aptly remarked Algernon, "the jury hasn't said as yet that any one is to be paid damages, and there is little chance of such intelligent men saying so."

Merle felt that after the straightforward testimony of the witness, it would be a waste of time to examine him further. He nodded to Algernon that his turn had come.

"Now," said the latter, "I suppose Mr. Disbrow, you expect the jury to believe all you have said."

"I haven't thought anything about that," calmly replied Jack, with an innocent look at

the twelve men whose eyes were on him. "I don't know as there's anything in the Constitution of the United States to prevent the gentlemen from believing as they please. Some of 'em might choose to believe *you* under oath."

"Don't try to be funny," said Algernon, flushing at the snickers in the court-room.

"Oh, I ain't trying a bit."

"Confine yourself to answering my questions. You say you were looking out of your cab window, while awaiting the signal from the conductor."

"That's what I said."

"Is that your custom?"

"When the station is on the right of the engine I always do so."

"Suppose the station is on the left?"

"Then my fireman keeps watch and calls to me when all is ready."

"Have you the right to start before the gong in your cab gives the signal?"

This was the best question asked by Algernon, but the witness was prompt in answering:

"The rule is that we must get the signal from the gong — one stroke — which is given by one of the brakemen, or the conductor can give it,



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but we often gain a second or two by taking the word from the conductor's hand. Perhaps you can see that it amounts to the same thing."

"I don't see any such thing; it doesn't seem to have been the same in the case we have under consideration. The conductor has testified that the train was in motion, when Mr. Tompkins tried to board it; do you mean to tell the jury Conductor Hemphill falsified?"

The movement of the grizzled beard showed that Jack was smiling. He turned and looked at his old friend the conductor, who was also smiling and closely watching him.

"There ain't anything in the world that would tempt Spence Hemphill to say what isn't so."

"Ah, then it is *you* to whom truth is stranger than fiction. You must know that you have sworn to one thing and the conductor to another. How do you explain that?"

"Easy enough. Spence wears eyeglasses, but he didn't have 'em on at that time."

"How about *your* glasses?"

"I never wear any."

"Then you insist that you are right and the conductor is wrong?"

"No doubt about it. Spence means well, but

he is young. After I have trained him a few more years, he'll know a good deal more than he does now."

The delicious humor of this explanation lay in the fact that nearly every one in the courtroom knew that the conductor was several years the senior of his engineer and had been longer in the service of the railway company. The conductor threw back his head and laughed heartily and silently.

"What a pity that more of us could not have the benefit of your training," commented Algernon with a sneer.

"So it is, and my beginning with you would be to lay you across my knee and give you an old-fashioned spanking."

"Provided I permitted," responded Algernon airily. "Mr. Disbrow, you have made a magnanimous offer to pay the amount claimed by the plaintiff. I suppose you meant that?"

"I did."

"You don't intend to go to the plaintiff afterward (provided an adverse verdict is rendered, which is hardly supposable) and beg him to reduce his claim, keeping the matter a secret so that you shall have all the glory and make

yourself solid with the company? Haven't got any little scheme like that up your sleeve?"

For the first time, Jack Disbrow showed anger. There was an ominous gleam in his black eyes and a hot retort came to his lips, but at that moment his religion came to his aid. He remembered as in a flash the One, who when he was reviled, reviled not again. With an iron will the engineer forced back the fiery words, and replied with the meekness of a child:

"No; I have no such thought."

"Now, if you are honest in your offer, and are not trying to make a grand-stand play, why didn't you go to Mr. Tompkins, directly after he was injured, and pay him the damages he claims? If you had done so, there would not have been this farce of a suit, and our company, toward which you feel so tender, would have been saved considerable expense. I repeat, why didn't you go to the plaintiff and offer him the amount he claims?"

"I did."

"You did!" replied the astonished Algernon, "I never heard of it."

"There are a good many things you never heard of, young man."

"It's news to me also," remarked Merle in a low voice to the other lawyer.

"It's true," whispered Uncle Josiah.

"And what, may I ask, did the plaintiff say to your proposal?"

"Wouldn't listen, neither him nor his father nor mother nor sister; they said the company owed it and had got to pay it."

"Having declined your chivalrous offer, why didn't you repeat it to President Ashland, who I understand you claim to be a friend of yours?"

"I did," calmly replied the witness.

"Well, we are getting a good deal more information than any of us expected," commented Algernon, whose astonishment was equalled by that of the others. "So you went to President Ashland with this grand offer of yours?"

"I didn't say that; he lives in Chicago, a little too fur for me to travel when there's no need of it, though I've promised to make him a visit; I wrote to him."

"What did he reply?"

Jack fidgeted and for the first time showed confusion.

"I'd rather not tell."

"You must."

"Jedge, can't I get out of that?" asked Jack with the simplicity of a child as he turned an appealing look upon the presiding officer, who kindly answered:

"Since you stated that you made your offer to President Ashland, it is proper that you should inform the jury in what manner he accepted it. You will answer the question."

The witness shoved one of his big hands into the inside pocket of his coat, under the opposite shoulder, and drew out several papers. From them he extracted an envelope, whose ragged end showed that it had been opened, and handed it to Algernon.

"If you're going to read it out loud, I wish you'd do so in so low a voice that no one can understand you," said Jack with a pitiful earnestness that caused more than one smile.

"Counsel will read the letter for the benefit of the jury," said the Judge.

As Algernon complied, the stillness was so perfect that not a word was lost upon a person in the room:

“OFFICE PRESIDENT P. Q. & G. RAILROAD.

“CHICAGO, May 23, 19—.

“MY DEAR JACK:—

“I have long entertained the suspicion that you are getting in your dotage, and that it is about time you were retired. Another such idiotic letter as the one just received, and overboard you go. I'll forgive your offence this time, but don't dare ever to repeat it.

“I am glad to know that you have become such a bloated bondholder and capitalist that you can afford to pay the bills of the P. Q. & G., but I am also glad to know that our road hasn't quite reached that pass. I promise to telegraph you the fact when it becomes necessary. So that phase of the business is closed.

“Now, my dear Jack, it is just like you to demand of me why, after your avowal of the facts in the case of the young man who was injured by your train, ten days ago, we have determined to defend the suit. Have you ever heard the reason why England strove for seven years to bring her American colonies back to her, when, long before she stopped trying, she saw that the thing could never be done? She

did this to teach her other colonies that she would do the same with them and that their independence would cost them far more than they could afford to pay. If she hadn't put forth such great efforts to conquer us, there would have been no end to the uprisings of her other colonies all round the world.

"The principle is something the same among railroads and insurance corporations. They are looked upon by multitudes of dishonest persons as legitimate prey, who should be despoiled whenever the chance offers; they are obliged to defend suits in order to shut off hundreds of fraudulent ones; it is a matter of self-defence. When the case is clear against these companies, they own up and pay promptly.

"Understand me as expressing no opinion upon the merits of the suit that is to be tried next month. I know only what you have told me; it is not proper for me to interfere; the matter is left wholly in the hands of Mr. Gilbert and the company will be satisfied with whatever he thinks right to do.

"You know as well as I that no man acquainted with you will ever doubt your word in

any circumstances. This being so, my dear friend, you must not forget that you, like every one else, are liable to be mistaken.

"Wife and I wish to remind you that you have no excuse for postponing the promised visit of Molly and yourself. You were due on the seventh of last month and we are very sorry you did not come. You received my little reminder, sent you on the day which you know is the anniversary of the battle of Pittsburg Landing.

"HUGH."

Silence followed the reading of this characteristic letter. Algernon Raymond had too much prudence to attempt to break its force. He would have been justified in demanding the identification of the handwriting, and he might have objected to its reception, when he saw certain portions, but he did neither. He grimly awaited the verdict.

"Our proceedings have not been strictly conventional," said the Judge in the course of his charge, "but law is crystallized common sense and its highest aim is to secure justice for all. The question which you have to answer, gen-



tlemen, is of the simplest nature. If the injuries received by the plaintiff in the circumstances named, on the forenoon of May 13th last, were caused by his own carelessness and disregard of the rules of the railway company, then he is not entitled to recover. If the injuries were caused by the negligence of the railway company, then the plaintiff is entitled to such damages as you may think reasonable, taking into account all the circumstances. You have heard the evidence of the witnesses. You are to say from their manner, as well as their words, which should receive the most credence. We shall wait a reasonable time for you to make up your verdict, and then, if you find yourselves unable to agree, you will be locked up in charge of the proper officer until such agreement is reached. If there is any point upon which you would like instruction, the court will be glad to instruct you. You will now retire for consultation."

During the recess, as it may be called, Judge Burnwell called Jack Disbrow to one of the chairs beside him. The two were soon chatting and laughing like two chums that had not met for a long time. They had not talked long,

however, when word came from the jury-room that the members had agreed and were ready to render their verdict. They filed in to their seats and the foreman announced what every one expected to hear. William Tompkins was awarded five hundred dollars, the full amount of his claim for damages.

Algernon Raymond was promptly on his feet with notice that the case would be appealed. Uncle Josiah leaned over Merle's shoulder and with glowing face exclaimed:

"Gosh! I thought we'd get something, but didn't think it would be more than half that. Come to look at them jurors, don't you think they're the intelligentest persons you ever seen together?"

## CHAPTER X

### A STEP FORWARD

ON the afternoon of the day succeeding the trial, Lawyer Gilbert sat in his private office, twirling his eye-glasses back and forth around his forefinger, and listening to Algernon Raymond's account of the proceedings. The result and most of the points had been telegraphed to the counsellor, immediately after the verdict, but he had telephoned to the young man in order to learn all the particulars. Algernon waited with some anxiety for the opinion of his superior upon his management of the case.

"I may say you did quite well," commented the elder in his pleasant manner and with his perennial smile, "but I hardly need remind you that you committed more than one error."

Algernon's face flushed, for the reproof cut.

"I shall be glad if you will point them out for my future benefit."

"In the first place, you secured the wrong witness in the person of the young man Kooser."

"He fell in with my plans at once."

"You should have understood him well enough to—ah, drill him more carefully, and you should have guarded against his flying the track. The most dangerous witness is the too willing one; in his eagerness to help his side, he branches out for himself and invariably upsets the most carefully reared structure; you should not have forgotten that in young Burton you had an alert and unusually skilful opponent. Of course, Kooser rehearsed his part to you?"

"He did it repeatedly until he had it letter perfect, but I never dreamed that he would make such a break."

"You ought to have known that he was the very one to do it; how in the name of common sense did he get the date of the accident wrong?"

"It was through his idiotic anxiety to help; he took it for granted that Tompkins was on his way to the picnic, which did not come off till two days later. Before I could check him the mischief was done."

"Well, Raymond, we learn from experience.

It was fortunate for you as well as for him that Burton did not have him arrested on the charge of perjury."

"Why fortunate for me?"

"A moment's reflection will answer that question," said the elder with a more pronounced smile, but without any change of manner. Algernon caught the point. Kooser, if pressed, would have told everything, which, to say the least, would have been unpleasant for his counsel.

"I gave notice of appeal," said Algernon with a combative shake of his head.

"On what ground do you propose to make the appeal?"

"Excessive damages; it's an outrage for us to pay a man five hundred dollars for a broken leg, for which he was mainly to blame."

"There will be no appeal," was the quiet comment. "A change of venue would make no difference, and it is not impossible that a stiff-necked jury would add to the award; such a thing has been done."

"How could it be done in this case?"

"Readily enough. Young Tompkins, I have been told, is keeping company with an estimable young lady, who perforce will be deprived of

his society for an indefinite time to come. It must be a severe trial to the young man, not to mention herself, and it would be just like the shrewd young Burton to demand sentimental damages, and just like some country juries to grant them. No; there will be no appeal."

This point settled, Algernon ventured to ask with some timidity wherein he had made any other slip in his management of the case.

"You should have been more on your guard when Jack Disbrow took the stand."

"The admission of his testimony was irregular in the circumstances."

"Judge Burnwell had a perfect right to admit it and you could not prevent it, but you need not be told that it was his testimony which knocked away our last prop."

"Of course President Ashland will see that Disbrow doesn't receive wages much longer from the company; it will not do to let such treason go unpunished."

Mr. Gilbert abruptly stopped flipping his eyeglasses, set them astride his nose, folded his hands across his stomach and looked into the face of the young man before him.

"Discharge Jack Disbrow! You don't know

what you say. Hugh Ashland would discharge me and every superintendent of division under him, before he would allow a hair of Jack Disbrow's head to be harmed. I should not wish to stand in the shoes of the man who entered the president's office with such a proposition."

"I noticed that the president's letter was familiar in its friendship and I wondered how a man in such a high office could write thus to a plain, ordinary engineer."

"I can make it clear to you."

And then Lawyer Gilbert told the story of Pittsburg Landing, adding at its close:

"One of the finest traits in Hugh Ashland's character is his sense of gratitude. He has remarked to me that he can never pay his debt to Jack Disbrow, who certainly did an heroic and noble deed on that awful April day in 1862. I know of my own knowledge that on every 7th of April—the anniversary of the battle—he sends his personal check for five hundred dollars to Jack, who, since his conversion, has spent every penny in charitable and religious work. I once said to Ashland, 'A good many of us have come to the conclusion that you are not the president of the P. Q. & G.' 'Who is

that unfortunate individual?' he asked me in turn. 'He is at present the engineer of the Eastern Express.' Ashland laughed and remarked, 'Well, if the company had him at the head, it would have a good deal better man than it has now.' If you feel inclined to demand the discharge of Jack Disbrow, go to his office, but don't fail to take a guard of police with you."

"I shall think it over," replied Algernon with a forced smile. "Does the president know of his testimony yesterday?"

"I telegraphed him last evening and received his reply this morning."

The lawyer fumbled through his papers on the desk and picked up a yellow slip, which he handed to Algernon, who read the few words:

"Just what I expected from Jack. God bless him.  
H. H. G."

Algernon had brought a memorandum of his expenses, which he submitted to the senior counsel. The latter glanced over the figures and paid it without comment, adding a liberal fee in the blank space left by the younger lawyer. The latter bade him good day and left.



Algernon was in anything but a pleasant frame of mind. No counsellor feels pleased over a defeat, especially when he has been confident of success, though, in the nature of things, there must be one or more in that situation at the rendering of every verdict. Victory meant a vast deal to Algernon, and to be pushed aside when his foot was already on the first round of the ladder was disappointing indeed. The criticism of Mr. Gilbert cut deep and the hurt was intensified by the one or two complimentary allusions to Merle Burton, who had been unsparing in his attack upon the great P. Q. & G. It looked indeed as if Burton stood higher in the respect of Mr. Gilbert than Algernon, who in recalling the praise of his friends for his conduct of the case could not forget that nothing is more misleading than the compliments of partisans.

“Mr. Gilbert hasn’t used me right. I was warranted in expecting more from him; no one could have done better than I did. The smartest lawyer in the country could not have stopped that fool of a Kooser when he made his break. I should have liked to see what Gilbert himself would have done with the fellow.

"Then whoever heard of such friendship between the president of a great railway and one of his most ordinary engineers? It's disgusting and no one who had not been told would have believed such a thing possible. I suppose Jack Disbrow did a nice thing at the close of that battle fought before I was born, but he has been well paid. I would do the same thing for half what he has received in money from the president. I wonder if he knows what a good friend I have been to his son Jack."

Walking slowly along the street, Algernon's thoughts took a new turn:

"There's no use in denying that Jack Disbrow is the power behind the throne; it would be a mighty good thing for me to cultivate him. Merle is a member of the same church and the two are close friends. How would it do for me to join also and put up a good bluff at being a Christian? I think I could make it work, though I don't fancy the plan. For appearance' sake, I should have to walk a good deal straighter than is agreeable. I'm afraid it would be hard to fool Jack Disbrow and I should balk at his temperance work and slunming. He must know I had no personal

feeling at the trial and was only doing what he tried to undo,—striving for the good of the company that employed me. Anyhow the plan is worth thinking over.”

In the act of crossing to the opposite side of the street, Algernon saw Merle Burton chatting with Chief Hahn. The young man became suspicious at once. He halted and made a pretence of examining some articles in the window of a store, but kept watch of his friend through the tail of his eye. Merle paused but a minute or two, when he resumed his brisk walk, which was in the direction of Mr. Gilbert's office.

“I'll bet that's where he's going,” muttered Algernon.

He was right in his surmise, for soon after the other turned into the Germania Building and whisked out of sight.

“On his way to close up business, but I wish I could hear what passes between them.”

It would have been interesting to Algernon could the privilege have been his. Since that was impossible, let us play the eavesdropper.

Merle's visit was in answer to a telephonic request from the elder lawyer of the railway company, who pleasantly welcomed him. Wa-

ving the caller to a seat, Mr. Gilbert resumed the twirling of his eye-glasses round his forefinger.

"We might as well close up this little matter, Mr. Burton, and dismiss it from our minds."

"Mr. Raymond gave notice of an appeal," said Merle.

"There will be no appeal. I presume you are authorized to act for the plaintiff in adjusting his claim?"

The young lawyer nodded, as he drew out his authorization papers and handed them to Mr. Gilbert, who merely glanced at them. "I have made the check payable to your order; of course we shall attend to the costs."

Mr. Gilbert shoved the documents toward Merle, who drew his chair to the desk and carefully examined them. They were in proper form, and he signed a receipt in full, as legal representative of William Tompkins, for injuries received in the circumstances specified. It required only a few minutes to complete the transaction, and thanking the solicitor, Merle rose to go.

"If you can spare a little time I shall be obliged."

The wondering Merle resumed his seat. Without beating about the bush, Mr. Gilbert came directly to the point.

"I wish to retain you as assistant counsel for the P. Q. & G. Railroad Company."

"Is that your usual method of punishing the man who has fought you as hard as he knows how?" asked Merle with a smile.

"That aspect of the business has no weight with us. The P. Q. & G. is always on the lookout for brains, ability and integrity."

"I trust I can lay claim to the last, but I'm not so certain about the other two qualities."

"Let that remain in abeyance, if you prefer; if we are satisfied, I don't see why you should complain. You may wonder, Mr. Burton, why we contested the suit of William Tompkins, when I tell you that we were so certain of defeat that all these papers were drawn up several days ago."

"I heard the explanation given by President Ashland in his letter to Jack Disbrow."

"That summed it up in a nutshell. There is a general prejudice against railway and insurance corporations — justified, I must admit, in some cases — and they are continually subject to at-

tack from all quarters. Some of the attacks are reasonable, but the majority are naked attempts at blackmail. In self-defence, we must resist many claims that are fair, in order to frighten off those that are unfair. Governments rarely pay claims until ordered to do so by the court of last resort. This course may cost the government a good deal, but not so much as to fight off the hundreds of other suits that would be pressed, if it meekly submitted to being mulcted. However, the suit of William Tompkins has been settled and does not need to be tried again. I presume you would like to consider my proposal before giving an answer?"

"It would be idle for me to pretend, Mr. Gilbert, that I do not feel highly complimented by your offer. The P. Q. & G. is a powerful corporation and employs a good deal of the ablest legal talent in the country —"

"— And some that is otherwise," interrupted the elder.

"It is flattering, therefore, to ask me to enlist under your banner. Since the late suit won itself, as may be said, and I displayed no special skill, may I ask how it is I came to be honored with your offer?"

With just a moment's hesitation, Mr. Gilbert replied:

"There is no reason why I should decline to answer. I am informed of the cleverness you displayed, in the last case, though there was nothing specially brilliant in your conduct. Scores of others would have done as well, but that was not your first case; you have a reputation, creditable in one of your years, for being safe, able and fair. Still again, there are plenty of others who have done just as well; but some weeks ago, I received a request from President Ashland to acquaint myself fully with your character, attainments and ability, and, if satisfied, to ask you to accept a retainer, as one of our assistant counsel."

"And how came President Ashland ever to hear of me?"

"It was through a letter from Jack Disbrow, who you know is the real manager of the P. Q. & G. He ordered Ashland to engage you before somebody else snapped you up. He based his command solely on your character. You and he, I believe, have been associated for some time in charitable and religious work. Great as is the president's affection for honest

Jack, and hard as he tries to please him, he could not fully obey in such a matter until he learned something of your qualifications as a lawyer. He instructed me to act as his proxy. The result of my investigation is disclosed by the proffer I have just made you."

"Again I thank you for your good opinion, but I must ask that you will give me some idea of the nature of the service that will be expected from me."

"I need not remind you that in the regular course of things, when every possible means is used against our interests, we are occasionally driven to fight fire with fire. We must choose between that and suffering defeat. But do not be alarmed: you will not be asked to do anything which your conscience does not approve. I commend your principles, my young friend, but may I ask whether you do not feel lonely sometimes?"

The senior lawyer smiled more broadly than before and stopped flirting his eyeglasses. There was a twinkle in Merle's eyes, as he replied:

"Not so much as I did before your explanation."

"Well said! I hope that lonely feeling will



soon wear off. I will say now that the business entrusted to you ought to be big enough to satisfy your ambition and to call forth the best efforts of which you are capable. In the task of securing a very valuable connection with one of our newly purchased roads in the West, it is necessary for the P. Q. & G. to lay a track a hundred miles long through a wild portion of Southern ——. The first indispensable step in this is to secure a charter from the legislature, and right there we are going to have the fight of our lives."

"On what ground can the legislature refuse to encourage an enterprise that must greatly develop the State?"

"There is no real ground, but we must lock horns with the O. & T., which is our rival. They cross the upper section of the State and you can understand how much they are interested in shutting us out. The legislature will not meet until December, nearly six months from now. The agents of the O. & T. are on the ground, doing their preliminary work among the legislators who hold over and in assisting in the election of those who will pledge themselves to vote against the charter for which we have asked.

"Of course," added Mr. Gilbert, "we have not been and shall not be idle. What we wish of you is to go to —, travel as much as you can through the State, and by logical arguments and a clear presentation of the facts build up a sentiment in favor of the new road. Your chief work will be in the southern part, where every one will understand the benefits of the new enterprise. But this sentiment must be made aggressive, so strongly that no matter how big the bribe, no legislator from that section will dare vote against us. His reason for such vote could not be hidden, and he would not dare face his constituents. It ought to be the same with the members from the central and northern parts of the State, but there is more indifference there, and the representatives will not be held to so strict an account as in the south. I do not doubt that some of those scamps will be brazen enough to claim that the impending development of the southern part of the State will be an injury to the other portions. This sophistry may convince a few of the pleaders that are not actuated by their bulging pockets.

"Your work will not be among those; you

will be expected to make the best campaign you can for true economy, wise enterprise, and the development of the natural resources of the State."

"Be assured, Mr. Gilbert, that I shall work night and day to the best of my ability; while recognizing the difficulties in the path, no task could commend itself more strongly to me. When do you wish me to begin?"

The elder was pleased with the enthusiasm of the younger. He did not doubt that the P. Q. & G. would get full value for the investment in him.

"No haste is necessary; it will be time enough to go to the State in the autumn, a month or more before the election of members to the legislature; you must have definite instructions, which you will receive from President Ashland himself. He knows the ground thoroughly. Besides, it is his rule, before entrusting an agent with an important responsibility, to meet him face to face, and take his measure."

"Then my selection after all is problematical," said Merle, with a sudden sinking of the heart.

"By no means; without explaining what

may strike you as a contradiction, I may say that your acceptance of my offer carries with it your appointment as special agent of the P. Q. & G. in the State of ——”

Merle shook hands with Mr. Gilbert, and, as he passed down-stairs and out on the street, it almost seemed to him that he was walking on air.

## CHAPTER XI

### A SLIGHT MISTAKE

INASMUCH as Merle Burton had the check of the P. Q. & G. Railroad Company in his pocket, he felt a natural wish to turn it over to William Tompkins with the least delay possible. He found he could reach Rosemead in time to walk to the home of the farmer, take supper with him, complete the slight transfer of papers necessary, and reach home on the Accommodation, which left Rosemead a few minutes after nine o'clock.

He carried out the plan, stepping from the cars at the well-remembered place, and passing down the single street, turned off in the country for his half-mile walk to the farmer's home. In passing the shop of the village blacksmith, he heard the ring of the anvil, and caught sight of the massive form swinging his ponderous hammer, and sending the sparks flying in all directions. The man did not pause to look up

at the passers-by, for he could not spare the time.

Almost opposite the shop was a small, vine-covered cottage, kept neat and attractive by the industrious hands of Mrs. Kooser. A young man was seated on the piazza, with his hat off, and his shoes resting on the railing. He was smoking a brierwood pipe, and he had held the posture for an hour or more. Moreover, he was sure to keep the same until his mother gently called him to supper.

The red face, the black, plastered hair, and the scowling features told his identity to Merle, who, satisfied with a single glance, walked past without further notice of the youth.

"I don't suppose he feels any special love for me; he ought to be thankful that he doesn't have to stand at the bar to receive sentence for perjury; he is the most utterly worthless loafer I ever saw."

Merle was too full of the grand prospect which Lawyer Gilbert had opened before him to give more thought to Sam Kooser, or in fact to anything else. He meant to repeat every word of the conversation on his return home to his father and mother. When matters did

not go quite right with him, he made no one his confidant; when it was the other way, his parents were sharers in his pleasure. He could never forget that their experience and native good sense fitted them to give him the best of advice.

In this happy frame of mind, he arrived at the home of Uncle Josiah, — a thrifty farmer in moderate circumstances. His family consisted of his wife, a grown-up daughter, and Bill, who had not quite reached his majority. It need not be said that our young friend received a warm welcome. Uncle Josiah had already declared several times to his acquaintances that Chase Burton's son was the coming Daniel Webster of the country, and he wouldn't be surprised if, when he reached the constitutional age, he should be elected President of the United States. Certain it was that he would receive the votes of all the Tompkinses who possessed the right of suffrage. No other lawyer beside him could have won the suit against the P. Q. & G.

Bill was seated in the family rocking-chair, with his leg resting on a pillow in another chair. The plaster sheathing was frequently renewed

by the doctor, and the fractured bones were knitting well. This caused some discomfort, but he understood its beneficent meaning, and forgot the pain in the happiness of welcoming the lawyer.

After the greetings were over, Merle asked for pen and ink, and endorsed the company's check over to the elder Tompkins. When his own bill was demanded, it was so moderate that all protested, but Merle would not allow any change, and the transaction was speedily closed.

Then the party gathered round the table, and Merle never enjoyed a better nor more bountiful meal. Bill naturally had to eat from a tray laid on his lap, but he held up his end of the conversation. Most of this related to the trial, and Merle protested more than once against the extravagant praises they pressed upon him. Pleasant and amusing as was the talk, it is hardly worth recording in this place. When urged to stay all night, Merle declined on the ground that his parents would be disturbed over his absence. Then Uncle Josiah insisted on "gearing up" and taking him to the station, but the youth also declined that favor.

"It is a short walk; the night is cool and



clear; there's a full moon, and I shall enjoy stretching my legs."

So he shook hands with all, and bade them good night.

As Merle had said, the night was clear with a full moon in a cloudless sky. Although the day had been warm, a soft breeze was blowing, and the time was ideal for walking. To an athlete like him, accustomed to vigorous exercise, it was much more pleasant than to jog behind the lazy mare of Uncle Josiah. Then, too, the young man yearned for the open air, that he might the better think over the fascinating future that Lawyer Gilbert had opened before him.

Castle building is not strengthening to the mind, but it is sometimes too seductive to be resisted. Our young friend, whose glance at his watch showed he had plenty of time in which to reach the station, shoved his hands into the side pockets of his short coat, and, taking the middle of the highway, moved forward in the best of spirits.

"There's one thing certain," he said, "I may not make much of a success in my crusade, but it will not be because I shall spare myself.

Nothing shall sway me an inch aside from the path which I shall follow to the end of my life. If I cannot win by fair means, I am content to fail; I am glad Mr. Gilbert understands that, for he will not ask me to do anything contrary to the Golden Rule; there are plenty eager for the chance, and they are welcome to it. Thank Heaven, the training of father and mother has placed me beyond temptation in that respect. I may fall before others, but never before *that*.

"I wonder whether Algernon will be asked to take part in this work. Likely enough; he will not hesitate, and the P. Q. & G. believe they have need of such help. He has ability and a certain tact at times, and may make himself valuable to them."

Merle was about half-way to the station, and had just emerged from the shade of a piece of woods, which lined both sides of the highway, when he saw a man some distance in front of him. In the vivid moonlight he was observed so clearly that it looked as if he had come out of the gloom at that moment. Merle thought it curious, but felt nothing in the nature of fear.

His first supposition was that the stranger was coming toward him, but when Merle had

taken a few steps, he discovered this was not so. Then he decided that the man was walking in the same direction with himself, but this supposition, as he quickly learned, was also an error: whoever the individual was, he was standing still, as if awaiting the approach of Merle.

This fact might not signify anything. Our rural friends are fond of company, and do not need an introduction to strangers. Still Merle felt some curiosity. He was not yet within a dozen paces, when he recognized the man as Sam Kooser, who was watching the coming of the young lawyer.

With the same stride, neither slackening nor hastening his gait, and with his hands still in the side pockets of his coat, Merle walked directly toward the other, calling out as he did so:

"Are you waiting for me?"

"Yes, sir; I've been laying for you," replied Sam, with a growl in his voice.

Merle was now so close that he had to turn aside, collide with the other, or halt. He did the last, and curtly asked:

"Well, I'm here; what do you want of me?"

"I'll soon show you," blustered Sam; "I fight fair; take off your coat!"

As he uttered the command, the angry fellow began drawing his arms out of his garment. He loosely folded and flung it away from him, so that it fell in the grass at the side of the road, while he remained standing in the dusty highway. When he looked around, he saw Merle Burton in the same attitude as before. His hands were in his pockets, and, had not his face been shaded by his hat brim, Sam would have noted that the other was smiling.

There was something amusing in the situation. Our young friend had been known as one of the best athletes in college. He kept up in a moderate way his training, and since he neither smoked nor drank, he was always in good physical shape. As for Sam Kooser, you have been told enough about him. He was exactly the opposite in every respect, and yet this worthless youth was certain that he would find his self-imposed task of the easiest nature imaginable. He had mixed in a number of rough and tumble fights with men who were in worse physical condition than he, and the re-

sults gave him undue confidence in his own prowess.

"Didn't you hear me? Why don't you take off your coat?" he demanded.

"There's no need of it; if the weather was cold I should keep on an overcoat, and agree to whip you out of your shoes inside of five minutes."

The taunt was exasperating to Sam, and Merle intended it to be so. The pugilist who loses his temper gives a fatal advantage to his opponent.

"I'll make you sing another tune before I'm through with you; I s'pose you know what I'm going to lick you for?"

"I don't know that you're going to lick me."

"Wal, you'll soon learn it; it's for what you said about me at the trial."

"I don't recall all I said, but I'm sure it was more than necessary, for every one knew you as a worthless scamp, too lazy to work, not ashamed to live off your father and mother, a hanger-on at the village tavern, and not worth enough powder to blow you off the earth. All who know Sam Kooser know he is that sort

of loafer. When you went on the witness stand, you hadn't enough wit or brains to tell a falsehood that could mislead a child five years old. I didn't need to expose you, for you exposed yourself."

"Do you mean to repeat them words?"

"Once is enough, but, if necessary, I'll repeat them any number of times."

"Wal, I've been laying for you ever since you went by our house; I knowed you was going to old Tompkins and would come back this road. The only way you can save yourself from the biggest licking of your life is to get down on your knees, beg my pardon, and then tell everybody you meet that you lied about me."

"But, Sam, I didn't lie about you, and I'm not sorry for what I said," was the tantalizing reply of Merle, who now drew his hands from his pockets.

"I'm not going to fool with you any longer!" exclaimed Sam, losing all patience. He drew up his fists in pugilistic form and made a pass at Merle, who easily parried it. He could have countered and stretched the young man flat, but instead he smote the side of his

face with his open hand, the noise of the impact suggesting an exploding firecracker. The blow did not drive Sam off his feet, nor even force him backward, but it stung him to fury. With a frightful threat, he struck more viciously than before at Merle, who parried the blow and smote him again.

"Why don't you hit me, Sam? I'll agree to hold one hand behind my back and then whip you. Stop playing and begin work."

Sam did so. Throwing discretion to the winds, he assailed the lawyer liked an enraged bull. In the impetuosity of his assault, Merle was forced back a couple of steps. He cross countered Sam (that most effective of all blows) and landed on his antagonist's chin. Stunned and helpless the fellow staggered backward, vainly trying to keep his feet, and then went over. Before he could rise, Merle was astride of his chest.

"Well, Sam, what do you think of things now?"

Quickly rallying, the fellow made desperate efforts to displace Merle. He twisted to the right, then to the left, and tried to bring his feet over in front of his conquerer, so as to

kick him away. The efforts were easily defeated, and finally Sam ceased, panting and exhausted.

"That's right; take a rest and try it again."

Sam was not yet ready to yield. Regaining his wind, he renewed his fierce efforts, but with less strength and persistency. Then he suddenly began shouting at the top of his voice:

"Help! help! murd—"

Just then the constriction on his throat shut off all utterance.

"It won't do you any good; there's nobody within call, and, if there was, I could finish you before he could get here."

"Do you intend to kill me?" whined Sam, when his master permitted him to speak.

"I couldn't do the country a better service, but I'll spare you on condition that you make me several promises."

"What are they?" asked the fellow who was in a state of collapse.

"You must agree to stop loafing and begin work in your father's shop to-morrow, and keep it up till you have served out your apprenticeship."

"All right; I'll doot," said the victim, with-





“I DON'T WANT ANYTHING MORE TO DO WITH YOU,  
GROWLED KOOSER”

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out the first intention of keeping the promise. Merle knew this, and therefore carried the farce farther.

"You must stop drinking liquor and never go near the tavern again."

"I promise."

"On your word of honor?"

"Yes; on my word of honor."

"But you haven't got any honor, Sam. That, however, can't be helped; you must never tell a lie."

"I never have."

"That's the biggest one of your life, but let's have your promise; include also the pledge never to gamble."

"It's a go."

"I guess that will do for a start; now get up, put on your coat and go home."

Merle sprang from his chest and the battered individual climbed uncertainly to his feet.

"If you think you didn't have a fair show, Sam, suppose we try it over again."

"I don't want anything more to do with you," growled Kooser, staggering to his coat, which he took from the ground and began drawing on.

"Very well; good night."

Sam made no response. Merle walked briskly down the highway, fearing the delay would make him late for his train. But the interview had taken only a few minutes, and he had plenty of time to spare.

Sam waited till he heard the whistle of the engine and knew that it was well on its way to Dorpville. He had pulled himself together as well as he could, and entered the gate of his own home, with his usual slouching, defiant step. There was no hiding his battered countenance, however, and when he appeared in the sitting-room, where his parents sat, one reading and the other sewing, he was a sight to behold.

"Mercy, Sam! what has happened to you?" asked his alarmed mother.

"Nothing," replied the son, dropping into a chair and flinging his hat in a corner.

The father laid down his paper and took off his spectacles.

"You look as if you had been run through a threshing-machine; been fighting again, I suppose, and tackled the wrong fellow."

"There's where you're off," remarked Sam, who had taken time to formulate a little story

of his own, while on his way home. "I took a run up to Ipswich after supper, and in coming back, Jake Warner, one of the brakemen, told me the train wouldn't stop at Rosemead. It was a mean joke of his, and I'm going to get even with him for it. It always stops, but as soon as we reached the upper end of the platform, I jumped and turned three somersets before I stopped: that's the way I got hurt," bluntly concluded the son, not thinking it safe, after his experience on the witness stand, to attempt further particulars; "I don't want to hear anything more about it."

The elder Kooser was struck by a brilliant idea.

"I guess you're tough enough to get over your bruises, but you've got a clear case against the company."

"How do you make that out?" asked the wife.

"Sam took the word of a brakeman; he jumped off and nearly had the life banged out of him; he can recover big damages; the case couldn't be clearer."

Somehow or other, Sam did not show much ardor over the scheme. The proposition of

itself was bad enough, but unconsciously on her part, the mother rubbed salt upon the hurt.

"There's only one way for you to win the suit."

"What's that?" asked her husband.

"Hire Merle Burton for your lawyer; he's the only one who knows how to handle such cases."

## CHAPTER XII

"HE IS THE ONLY ONE TO DO IT"

It was about the middle of August following, that Merle Burton received a brief letter from President Ashland of the P. Q. & G. Railway, asking him to come to Chicago to consult regarding the work which he was to undertake in the State of ——. Inclosed in the letter were passes to and from the city and a check for one hundred dollars to meet incidental expenses on the way. Merle showed the letter to Lawyer Gilbert, who expressed his pleasure.

"It is proper to say that Mr. Raymond made such an urgent appeal to me that I have employed him to enter the same field," said the elder.

Merle was generous enough to be pleased over his old friend's success, and yet the news was not altogether welcome.

"Is he to be associated directly with me?"

"Far from it; I do not think his talents lie

in the same direction," replied Mr. Gilbert; "he will assume his duties a month at least after you, and will always be under the direction of another; it is quite possible that you and he may not meet while working for us in the West, and again your paths may cross."

On the forenoon of the day named by President Ashland, Merle Burton stepped out of the elevator, at the third floor of the fine building which was occupied exclusively by the offices of the P. Q. & G. Railway Company. Entering the reception-room, he sent in his card to the president, and, after a brief wait, was ushered into the presence of the gentleman, who was standing, and cordially extended his velvety hand to the handsome youth.

Merle was captivated by his appearance and gracious manner. His features were of classical regularity, and his scant hair and side whiskers perfectly white. Long application at his desk and years of hard thought and worry had given a stoop to his shoulders and a waxen paleness to his countenance. He was dressed with elegant plainness, the only jewelry on his person being a gold chain with tiny links, and a narrow band around one finger. He took an easy chair



in front of a lounge, toward which he motioned his caller.

It is not necessary to record the conversation, for the substance of what was said by President Ashland has already been given in the words of Counsellor Gilbert. To summarize: The P. Q. & G. were going to send a number of men, believed to be specially qualified, into the State of —, and they were to devote their energy to creating and developing a sentiment in favor of the new railway line that was to span the southern portion. Merle was to attempt to buy no one, but rely upon appeals and arguments showing that self-interest, fairness, and justice demanded the granting of the charter asked for. There is a limit beyond which a corrupt lawmaker dare not go. Greedy and unprincipled as he may be, he shrinks before the thunderous demands of his outraged constituents.

"We wish you to be on the ground by the first of October," said President Ashland; "by that time most of the candidates will be nominated, or it will be well settled as to who are to receive the nomination. Of course much preliminary work will be done before you reach

the State, and we shall send enough men to cover the field thoroughly. As you will understand, we intend to make the new railway an issue in politics. In some quarters, the candidate who refuses to pledge himself to vote for the charter, or who tries to hedge or to oppose it, will be buried out of sight at the polls.

"But the O. & T. are leaving no stone unturned and are using every means at their command. You would naturally think that a legislator would gladly vote for a measure whose benefit to the State is self-evident, but the O. & T. are trying to array section against section and to make the representatives from the middle and northern sections believe that the development of the southern portion will drain the rest of the State. This sophistry, backed by the liberal use of money, will hold many against us, but we hope to gain enough friends to secure our rights. Now, if you have any questions to ask, I shall be happy to answer them."

"I cannot recall anything that Mr. Gilbert forgot. Something may occur to me between now and my final talk with you."

"Very well; and now, Mr. Burton, you will excuse me. There is a great deal waiting to

receive my attention. You will be interested in looking about the city, as I believe this is your first visit to Chicago. Please be here at five o'clock and go home with me to dinner and to remain over night."

Merle could not decline the invitation, after his plea that he had no evening suit with him was brushed aside. Descending by the elevator, he passed out on the street of the seething, wonderful city by the lake. He was in high spirits. The manner of President Ashland left no doubt in the mind of the youth that he had made a fair impression on the mind of the magnate. Thus far, matters could not have gone better: would the progress continue to the end?

Merle's success was due to his good sense in acting only his natural self. Many a young man in his situation would have tried so hard to impress the important personage, that the effort would have been apparent and the opposite effect been the result. Merle was bright, modest, and respectful, and President Ashland had found him all that he expected from the reports of Jack Disbrow and Counsellor Gilbert.

When our young friend returned from his

ramble through the streets of the Lake City, he observed a handsome carriage, with a negro coachman, waiting in front of the railway building. Quite certain as to whom it belonged, he again passed up the elevator, where he found President Ashland drawing on his gloves, with his hat and cane resting on his desk. Complimenting Merle on his punctuality, he led the way to the elevator, and a few minutes later they were bowling along Michigan Avenue to the handsome residence of the multimillionaire.

In the course of his young life, Merle had visited many wealthy homes, but never had he seen anything so fine as that of President Ashland. An exquisite artistic taste had been supplemented by vast wealth, and imagination can hardly paint the result. The admirable training of Merle averted the embarrassment that many would have felt in his situation. He still acted naturally, and there could be no doubt that the good impression made earlier in the day upon the president of the P. Q. & G. was not weakened by anything that followed.

At the dinner-table, Merle met Mrs. Ashland and her daughter Alice, a young lady not yet out of her teens. It was when he received

their warm, frank greeting that the impression came to Merle that some shadow rested on the threshold. He tried to think he was mistaken, but it followed him to his room and was stronger when he joined the family at dinner. The mother was pale and weak, and it was evident that she was making a resolute effort for the sake of their visitor. The daughter, sweet, accomplished, and naturally vivacious, often had moments when she sighed and forgot her surroundings.

That evening brought Merle's greatest social triumph. Nothing is more contagious than sunny good nature. In overflowing spirits himself, he charmed all with whom he came in contact. His words at the table were witty, and once when he and Mr. Ashland were exchanging badinage, the daughter laughed outright and the mother smiled for the first time in many a sad day.

As was to be expected, when Jack Disbrow became the subject of conversation, the hearts of the listeners were touched by the manly tribute which Merle gave to the good fellow, unaware as was the youth of what the grim engineer had written about him. It was the blessed

labor in the Master's vineyard which brought young manhood and middle age together, and made each appreciate the other.

At the end of the elaborate meal, which Merle was glad was not accompanied by any kind of wine, Mrs. Ashland expressed her regrets at being compelled to excuse herself, and withdrew to her room. Father, daughter, and guest sat down together in the reception-room, and the host set to work to draw out the young man. Little need of that, for Merle was at his best. When asked to give the particulars in the suit of William Tompkins against the P. Q. & G., he vastly amused his listeners. His description of Jack Disbrow on the witness stand and his reluctance to read the letter written by President Ashland was inimitable. The latter laughed till the tears showed on his cheeks.

"If it was a choice between seeing me hanged or telling a falsehood, Jack would say, 'Let him hang.' He belongs to the salt of the earth, and, if there is any such thing as reserved seats in heaven, he will have a front one."

Merle knew all about Jack's visit to The Owl saloon, when he yanked out his fireman, flung

him into the street and then, after chastising the proprietors and bartender, wrecked the place, and told the magistrate when heavily fined that he was going to keep a reserve fund for such fun. Alice declared that it was the best thing she had ever heard and reminded her father that the hero of the performance had neglected his promise to pay them a visit.

"I have written Jack, and, if he tries to dodge much longer, I shall bring him to Chicago in a special train."

Later in the evening, Miss Alice, in a sweet, cultivated voice, sang for the two. When she had finished, Merle was startled by the father saying:

"You sing in the choir of your church at Dorpville and were the leader of your college glee club; Professor Burton will now oblige."

Merle had a fine tenor voice, and though he protested modestly, was too sensible to refuse the request. He played his own accompaniment and sang several rattling college songs, which always stir the blood of the listeners, and delighted the father and daughter. A few minutes after he had ceased, a request came from Mrs.

Ashland's apartment up-stairs that he would sing more. She had been listening and was greatly pleased.

The songs which charmed most were a few of the melodies of Stephen C. Foster (and I shall always maintain that no sweeter ones were ever written). Merle repeated them mainly for the pleasure of the invisible listener, though President Ashland, like almost every middle-aged man, loved the sweet melodies better than any music ever composed, and he had the moral courage to say so, even while at the grand opera.

When the family felt it unfair to impose further upon the courtesy of their guest, the daughter bade the two good night and withdrew. Mr. Ashland led the way to the smoking-room, Merle saying that while he did not care for a cigar, he liked the fragrant odor of a good one. He ought to have enjoyed those smoked by his host, for every one of them came from the Vuelto Abajo and cost him a dollar apiece.

The President smoked with the deliberation of one who knows how thoroughly to extract the pleasure of the weed, but Merle noticed two





peculiarities in his conduct: he made no reference to the important business in which his visitor was soon to engage, and he was covertly studying the young man on the other side of the room. At times he was silent, as if thinking of something to which as yet he had uttered no hint.

Merle so interpreted his manner. An anxiety was on the man's mind and he was debating whether or not to give it expression. Twice he was on the verge of doing so, but refrained, and when at a late hour the guest was shown to his room, he had received no intimation of what was in the thoughts of his kind host.

The colored servant bade Merle good night at the door of his apartment, passed out, and vanished with the noiseless tread of the trained servitor. He was gone only a few minutes, and Merle was in the act of closing his door, when he heard the murmur of voices and paused.

Mr. Ashland and his wife were conversing in one of the rooms farther down the hall. Their voices were so subdued that the listener did not identify any of the words spoken, and not wishing to play the eavesdropper, he gently shoved his door and turned the key.

Before he could exclude the sounds, Mrs. Ashland had replied to some remark by her husband. Owing to the finer quality of the tone and the fact that she raised her voice slightly, as if he were walking from her, Merle could not avoid hearing what she said. It was this:

*"He is the only one to do it."*

It flashed upon Merle that the reference was to him. But what could the words mean? What was the act which the lady declared he was the only one to perform? Merle tried to make a reasonable guess, but it was out of his power. Speculate and study as he might, he could not solve the question.

"It can't be he had said anything about the task that has been assigned me in the West. He wouldn't fret his wife, in her poor state of health, with business. That he leaves all that behind him at the office was proved by his not referring to it when he and I were alone.

"Then, too, the declaration that I am the only one to do it, wouldn't fit; for there will be plenty of men in the field who are tenfold better qualified than I. Clearly the two had been talking about something else, and whatever

it was, it was that which was on his mind when he was smoking his cigar.

"What's the use of thinking about it?" asked Merle impatiently, as he turned again in his luxurious bed; "if I have been selected to do it, Mr. Ashland will explain everything to me when the right time comes; I have only to wait."

## CHAPTER XIII

### A STRANGE ERRAND

It was not until Merle Burton bade good-by to President Ashland that he received the remotest hint on the subject which puzzled him. Even then it can hardly be said that the young man gained an inkling of what was in his host's mind. Holding Merle's hand for a moment, the president said, as he left his carriage in front of his office:

"I spoke of your being needed about the first of October; it is probable that I shall send for you sooner."

"I shall hold myself subject to your order."

"Thank you; suppose I give you only a few days at home?"

"One day will be sufficient."

"I appreciate your kindness; you will not be kept waiting long."

Thus it came about, on the third day after Merle's return to Dorpville, that a telegram ar-

rived from President Ashland, requesting him to come to his office as soon as he could make it convenient, prepared to go to the State of — for an indefinite period. Expecting something of that nature, Merle had arranged for Algernon to look after his cases until he should be summoned to Chicago, when a third party would represent the two. Young Raymond was in high feather over his appointment, but he could not understand why Merle should be needed so much sooner than he. Neither did Merle himself understand it. He thought it right to inform Mr. Gilbert, but not even to his parents did he say anything of the lingering impression he had formed during his brief stay in the home of the president of the P. Q. & G.

Two days later, Merle, with suit-case in hand, stepped out of the elevator of the big building, and upon sending in his name was brought into the presence of the railway magnate, who received him with outstretched hand.

"Thank you for your promptness. George," added the president, addressing the lad who had shown the visitor in, "in no circumstances am I to be interrupted until this gentleman has

gone. No matter who calls, I shall not be at home, nor must you bring any message to me; we are not to be disturbed."

"Yes, sir," was the respectful reply, as the lad whisked out of sight.

To insure absolute privacy, Mr. Ashland turned the key in the door and motioned to Merle to take a chair on the opposite side of the spacious room. He placed himself in front of him.

Brief as was the time since Merle had met the president, he now saw a difference in him. His pale countenance was if possible still more waxen, his step had lost something of its elasticity, the shoulders seemed more bowed, and the rims about the fine eyes were darker than before. The man was evidently carrying a great burden.

Such was the fact, and, like the business man he was, having made up his mind what course to follow, he did not beat about the bush. He sat down, crossed his legs and looked calmly into the face of the young man.

"Mr. Burton, I am going to surprise you very much; you are to learn a secret which is known to only one or two other men in the

world beside myself; I shall trust you without reservation."

Merle bowed.

"You honor me beyond my deserts."

"I do not think so. Mr. Burton, do you believe in special providences?"

The question was so sudden that the young man hesitated, but only for the briefest interval.

"I have seen too many to hold the slightest doubt."

"So have I; I believe it was a special providence that brought about our acquaintance, and that Heaven intends you to do for me and mine a favor which nothing in this world can repay."

A slight thrill passed through Merle. It was a flitting, vague suspicion that the great railway magnate was slightly off mentally. The intolerable weight of his vast work was proving too much for his mind. But the thought was gone like a flash, and Merle knew that President Ashland was never clearer in intellect than at that moment. The young man bowed again, and said in a sympathetic voice:

"If such should prove the fact, I shall be as happy as you."

"I am going to ask you to save my only son from destruction."

The words were uttered in a low, even voice, but no pen can picture the depth of sorrow that underlay them. Merle wondered why he had not connected that shadow hovering over the threshold of the millionaire's home with the wayward son, whose name was not once mentioned by any one of the little party.

"You know something of my boy?"

"Comparatively nothing; I do not think a word ever passed between us, yet I knew him by sight."

"And that he was one of the wildest students in college."

"Such I believe was his reputation."

"And deservedly so; he was headstrong and inclined to bad ways in his boyhood; absorbed as I was in business, I could not give him half the attention he needed. When he was prepared for college it was an immeasurable relief to send him thither, and I breathed a sigh of satisfaction, not doubting that when thrown among those of his own age, he would develop into a passable young man. But I was disappointed."



The elderly man sighed deeply, and slowly shifted his posture. He looked out of the window, over the roofs of the adjoining buildings, at the blue sky beyond, as if groping for the loved face that was gone. If Merle Burton lives to the age of a century, he will never feel the profound, tender sympathy for any human being that he felt for that sorrowful father who held millions at command.

"By some unexplainable whim of good fortune, Jack escaped expulsion, and was graduated from college. He had squandered thousands of dollars but I cared nothing for that, and nursed the absurd myth of a young man becoming the better for having sowed his wild oats. He came home and entered this office, under the promise that he would give himself wholly to business and make a complete amendment of his ways. He did well for several months, and I was beginning to feel a fluttering hope, when he cast all restraints to the winds and showed himself tenfold worse and more degraded than I had ever dreamed. I forgave him after his outburst was over, and under his solemn pledge reinstated him. He did not drink again, so far as I know, but he deliberately forged my name

to the extent of twenty thousand dollars and drew the money upon the checks. I acknowledged every one, and thus saved him from imprisonment and disgrace, but my patience was exhausted. I saw that to forgive him again was only to encourage him; I hardened my heart and disowned him. I ordered him never to cross the threshold of my home or of this office. He had never seen me so stern before, and he was scared. He asked permission to bid his mother and sister good-by, but I would not permit it. That was six months ago, and I have not seen him since."

"Then he is fond of his mother and sister?"

"He has always been of an affectionate disposition, and I know would give his life for either of them, especially for his mother. I am not so sure how he feels toward me."

"I think a son may feel more tender toward his mother, but the fact that he thus feels regarding her makes him hold a strong affection for the just father."

"Possibly you are right; I hope so. I thought that when I told my wife and daughter of Jack's wickedness, they would share my feelings. They pretended to do so; they said noth-

ing of it at first, but the sorrow is killing his mother. Alice may be able to rally in time, for she is young, but for the present, life has lost all charm for her. You saw the shadow that hovers over my hearthstone?"

"Yes, — I fancied there was trouble of some kind, but I never associated it with your son."

"The estrangement between Jack and me means the death of his mother, who is sinking into a decline, the utter wretchedness of his sister, and my own death before many years can come and go."

There were no tears in those clear mild eyes, for the grief behind them was too great for such relief. But if ever a human countenance showed utter sorrow and despair they were depicted on the countenance of President Ashland.

Merle felt that the time had not come for him to speak: that would be when the elder was through, or when he asked him to express himself.

"I might have stood it, but for the sight of my wife and daughter continually before me. The day has come when I can stand it no longer; something must be done. My poor, patient wife told me a month ago that her prayer was that

she might see Jack and hold him to her heart once more before she died. But what *can* be done?"

The heart-broken expression on the father's face almost brought tears to the eyes of Merle, who now gently asked:

"What effort have you made, Mr. Ashland?"

"I have had two detectives at work for several weeks."

"With what result?"

"They have learned that Jack is with a party of outlaws in —, and in the section of the State to which I intended to send you to work for the P. Q. & G."

"Can it be possible?" asked the amazed Merle.

"Not only possible, but true."

"How do you explain it?"

"I cannot, except that he has acted in desperation, and, having been driven from his home by me, has become utterly reckless."

"Are the detectives still at work?"

"I called them off; they offered to bring about Jack's arrest, but I cannot consent to that, for that would be the end. Detectives, you know, as a rule, make no pretences to Chris-

tianity; the nature of their business, which brings them in contact with the worst members of society, seems to forbid. The time has come for some other means of approach to be made to my boy; Jack Disbrow tells me that you are a fervent, devoted Christian, whom nothing can tempt to do wrong."

"I strive to be such, but often fail."

"The special providence to which I alluded a few minutes ago, I see in the writing of Jack to me. It came upon me like a flash that you were the man who can bring back my boy to us, if any human being can do so. What removed all doubt as to the special providence in the matter was that the same thought came to my wife. That was why I asked you to come to Chicago and took you to my home. I wished her and Alice to see you and form their impression. The same night that you were there, after you had gone to your room, my wife remarked to me that you were the only one to do it, — that is to hunt out Jack and bring him back to us. I agreed with her, so did Alice, but I took a little time to think it over. The result of our consultation was my telegram; you were kind enough to respond promptly; you are here;

I have laid my heart bare; will you undertake the work in which I confess I feel little hope, though there is no other plan in which I feel any hope at all?"

During these strange minutes, Merle Burton had been thinking intensely. The task was the most remarkable that had ever been laid before him. He believed he understood it all.

"Had poor Jack Ashland been blessed with such parents as mine, this sad condition could not have come; like many a wealthy man, President Ashland gave all his thoughts to the making of money; he had no time to look after his family, except to provide the members with all they thought they needed. He expected the schools to do what they can never do in this life, — take the place of the father and mother. He thought when he sent his boy to college and furnished him with five times the money he ought to have had, that he had done his duty, and all would come out right. He has learned as has many a father, that there are many duties which no man can shirk; if he does, he is sowing the wind and he must reap the whirlwind."

But all this was past. The mischief had been done; was it beyond remedy? Merle resolved

that he would do the utmost in his power, yet the chances were against him. He could not say so to the stricken parent, nor could he on the other hand allow him to hope unreasonably. He said:

"It is not necessary for me to say how deeply I sympathize with the parents and sister of Jack, nor need I assure you that I commit myself heart and soul to the task, which may and may not succeed. Let that phase of the sad business be considered closed; it is our work to address ourselves to that which is before us. There I need your advice."

"What do *you* advise?"

"The first thing is to put myself in communication with Jack and bring about a meeting. I confess that at present I can think of no means, but some plan will shape itself in my mind before long. You say that the band of men with whom Jack has connected himself operate principally in the southern part of —?"

"So I have been informed, but doubtless they cover a large extent of country, and may decide at any time to move to some other portion of the West."

"Do you know how many compose the band?"

"One of my detectives said he thought there were six or eight; the other made the number double that; it does not seem to me especially important."

"No information bearing upon the matter can be unimportant."

"You know the Jesse James, the Dalton, and other similar gangs were held in such fear in the sections where they worked that they could count upon the help of the inhabitants when officers of the law got upon their trail. It must be the same in this case."

"Where would you advise me to leave the train?"

"At Arkville: that is a small station in the southeastern corner of the State. The plan of the P. Q. & G. is to run a line from Arkville directly across the southern portion of the State, connecting with the L. & C. on the other side. When you are at Arkville, you have entered the section in which we are to operate."

"I understand that your line turns north at Arkville and skirts the eastern boundary till a junction is formed over the border in ——?"



"That is correct; it is along this line running north and south that the lawbreakers at present reign supreme."

"Have they ever held up railway trains?"

"They have done so twice to my certain knowledge."

"And no attempt has been made to arrest them?"

"The sheriff of the county set out to pursue them, but has never captured one of the outlaws. You must make Arkville your starting-point; by the exercise of tact, I think you can place yourself in touch with the gang, but you do not need to be reminded that you will be taking your life in your hands."

"I shall try to be prudent; do you know anything of Arkville?"

"I have been told that it is composed of less than a score of log houses, with a small church and school, and the people as a rule are a shiftless lot."

"It being a regular station, it has a telegraph-office, I suppose?"

"Yes, and a bright operator; his name is Judkins; I may say to you that he is one of my detectives, who believes the gang numbers

a dozen; the other officer who penetrated the section as a fugitive from justice has been called off and is operating in the East. Do as you think best about making a confidant of Judkins, but you know that you cannot be too guarded in what you say and do."

"I will study Mr. Judkins before I decide to trust him. It is a good thing for us that you will soon be sending your agents into the section to work for the new charter: that will make my appearance there seem a business one, and I don't think it will be hard to divert any suspicion that may be formed regarding me."

"Will you travel under your own name?"

"I have never used a *nom de plume*, and it would be distasteful for me to pretend to be any one that I am not."

"Naturally, and yet it is often prudent to do so."

"In my case, it would be safer to be myself, who goes to the State in the employ of the P. Q. & G. It would be so awkward for me to masquerade as John Smith or James Brown, that I should be sure to forget it at critical times. If these lawbreakers should chance to learn that—as they would be likely to do—

what explanation could I make to them? Could I change their belief that I was one of Pinkerton's men who had gone thither to arrange for their undoing? Moreover, I shall carry no firearms."

The face of President Ashland showed his astonishment.

"You are surprised, but I shall be far safer without than with them. When my father visited Texas some years ago, he became well acquainted with Ben Thomson, one of the greatest man-killers ever known. They had several intimate talks. When he told Ben that he hardly knew how to handle a revolver and never carried one, that famous desperado (afterward killed in a row at San Antonio) told him he was doing the only wise and safe thing. 'Knowing you have a pistol at your command,' said Thomson, 'you will be tempted to use it when there is no call to do so; in this part of the world, the instant you attempt to draw, the other fellow will have you shot before you can get yours out of your pocket. Besides that, there isn't one Texan in a hundred that will fire at you when he knows you are unarmed. I shot three scoundrels who were mean enough

to do that cowardly thing. Go unarmed, and, at the first sign of trouble, let it be known you are not heeled.' There was so much good sense in that advice that I shall follow it."

"I never thought of it in that light; if you should fall into the power of any of the members of Tom Gibbons' gang, and they find no weapon upon you, they will set you down as the strangest detective they ever came across."

"So strange that I hope they won't believe I am one."

"Perhaps you are wise, but I shall insist upon one thing: when you leave Chicago for Arkville, you must lay aside your pass and buy a ticket, the same as an ordinary passenger."

"What will be gained by that course?"

"I have a suspicion, which may be without foundation, that Jack, who is connected with the Gibbons band, has friends in Chicago, who keep me under their eye and warn him of everything done by me or our company that promises to be interesting to him. While it is quite possible I err in my belief, I am convinced that there are two or three conductors or brakemen on our road who are friendly to that gang. If you display your pass the conductor will read

your name, and it be sent in advance: that cannot take place if you are a stranger to him."

"I shall follow your advice."

Merle thought it only respectful that he should say this, but, when he did so, he asked himself what could possibly be gained by such a course. He could see nothing at all. If he reached Arkville, it would then remain for him to open communication with the Gibbons band. He would do so under his own name. What then would be lost by having him expected at that lonely station? It would seem that the result would be more promising if the outlaws were looking for him; certainly he would meet them all the sooner. However, if nothing was to be gained, he could not see that anything was to be lost.

It was well that President Ashland warned him it was likely he would be watched. He could conceal his knowledge of the fact, and still be on his guard.

"You will be ostensibly in the employ of the P. Q. & G., but in reality you will be serving me personally; it will be prudent for you to begin your campaign at once in favor of the new charter. Your position cannot be questioned,

and yet it will not avert suspicion, for what would be easier than for a professional detective to assume that guise?"

"None the less, I shall have a distinct advantage in acting as the authorized agent of the company. The arrangement is fortunate."

"And, Mr. Burton," impressively added President Ashland, "do not forget that you are absolutely free to follow your own judgment. All the funds which you may need will be at your disposal; I will honor any call upon me; I would ungrudgingly sacrifice half my fortune to reclaim the erring boy. Whenever the matter assumes the form of expense, do not hesitate."

"I shall not forget a word of what you have said. Now, if it is within the compass of human possibility, I shall meet your son face to face and have a talk with him. Have you anything special in your mind for me to say?"

"Little more than I have already intimated; you will let him know that he holds the lives of his mother and sister and, yes, of his father in his hands. If he will come back and be a true son, there is nothing in the world we will not do for him. There is not a scrap of paper in

existence that can trouble him; all shall be made plain sailing."

"Do not forget, Mr. Ashland, that he is amenable to the law for what he has done since he left home and for what he is doing now. If he were arrested, nothing could save him from punishment: you must never forget that."

"I could never forget the fact; if he is not rescued soon, it will be too late to save him."

"Perhaps he is convinced that it is already too late, and for that reason tries to keep beyond reach."

"The greater necessity for your assuring him, speaking for me, that he can yet be saved."

"Have you heard nothing from him since he left your home?"

"Not one word; I inserted veiled personals in our leading papers, which he would have understood, but they brought no response."

"It is possible that he did not see them."

"But some of his friends must have done so."

"Without understanding them; I should give no weight either way to that means of communication. I am hopeful that he knows nothing about the personals, for then there will be

more likelihood of my words having significance with him."

"You do not know how much relief you give me by that single remark. I am more assured than ever that my wife was right when she insisted that you are the only one that can do what we pray may be done. I think of nothing more to say. Have you any questions you would like to ask?"

"You have told me that Arkville is an insignificant station. On what train should I leave Chicago to reach it at the most favorable time?"

"To-morrow morning at eight o'clock. You will be due at Baldmount at five o'clock in the afternoon; to that point the travelling is good and you will be interested in the country, the scenery and the people. You will change at Baldmount and take the connecting train for Arkville, which you ought to reach comparatively early in the evening."

"Over a single track?"

"Yes, and a mighty poor one. The roadbed is bad, for there is little travel or traffic over it. So soon as we can secure the charter that we are



after, we shall lay another track and virtually make the road over again, for we shall be warranted in expending a good deal in that direction. At present, it isn't safe to run more than twenty miles an hour and you mustn't criticize us too sharply when you are jolting over the ties. As I have said, you will be due at Arkville quite early in the evening, but don't be too much disappointed if the branch line fails to keep to its schedule."

"I presume accommodations can be had at Arkville?"

"Yes, such as they are. You will have to rough it, but the night at the station will give you a chance to gather a few points. Doubtless you will meet Judkins, our agent, who I am sure will be of great help to you, but your arrival, you may be sure, will be quickly known to others beside him."

"Which may be the best thing possible for me; if I am to meet Jack, some way must open for doing so. It will not be prudent for me to begin my inquiries as soon as I step off the train."

"We may lay our plans here in my office, and

build up theories, every one of which is liable to go wrong. All will depend upon circumstances; you must be governed by them."

"Nothing is more certain than that. I shall have plenty of time in which to think this business over, and as you have important matters awaiting your attention, I will not trespass further."

"Nothing can equal in importance the business which takes you upon the strangest journey you have ever undertaken or are likely to undertake. Mr. Burton, I shall not ask you to go home with me to-night, for reasons which I need not explain."

"But they are understood. It will be far better that the painful subject should not be discussed by any one besides us; we could not help raising hopes which may be doomed to cruel disappointment."

President Ashland gravely nodded, and inquired whether the young man had plenty of funds. Merle said he had all it would seem he could need.

"Better take more, for there's no saying what call may arise. The only way in which

money can reach you at Arkville is in the form of money itself, which can be forwarded by express to our agent Judkins. It is a long distance to a bank."

Mr. Ashland summoned one of his messenger boys and directed him to bring a couple of hundred dollars in bills of various denominations. It took but a few minutes to do this and the funds were turned over to Merle, who carefully stowed them away in an inside pocket, separate from that which he carried for use.

"I do not suppose you have selected your hotel?"

"No; what one would you suggest?"

"There is no lack of the best of hotels in Chicago; although the Palmer House was once our leading hotel, it has been surpassed of late years by the others. Being alone and with little baggage, I presume it will answer for you."

"I shall be glad to stay there over night, as it is not far from the Union Station."

"That need make no difference; I will summon a cab, which will take you and your luggage thither, and you can depend upon being at the station in time to-morrow morning."

The cab appeared almost immediately and shaking hands with President Ashland, Merle Burton bade him good-by, little dreaming of what he was to pass through before the two should meet again.

## CHAPTER XIV

### WESTWARD BOUND

THE distance from the offices of the P. Q. & G. Railway to the Palmer House is short, and the rattling cab deposited Merle Burton at the door of that famous hostelry within a few minutes after he bade good-by to President Ashland. Walking to the desk, our young friend registered under his own name, with his proper address. He saw nothing to be gained by subterfuge, and until an imperative demand should arise for concealment, he was resolved not to use it.

The afternoon was so well advanced that he spent only a short time in his room, when he came down to dinner. Passing through the office, he noticed a young man poring over the hotel register. There was nothing in the act which should have been noticeable, for the reporters scanned the pages of the various hotel records in quest of men or women in whom the

public might feel a more than passing interest. It might be that the individual was looking for a friend or some business man, with whom he had an appointment. Merle, however, noticed that the one who was scanning the register, running his finger up and down the page on which fully a score of names had been recorded since morning, was well dressed, with a large blond mustache and a retreating chin, and that he wore eye-glasses. With little more than a glance, Merle passed the person on his way to the dining hall.

Now, what induced him to turn round at the moment he reached the corner and look back would have been difficult for Merle Burton to say, but he did so, and saw the man in whom he felt a slight interest, leaning on his elbow, with his eye-glasses in hand, and talking to one of the clerks. At the instant of Merle's glance, the clerk, with the training of an expert in his business, shifted his glance to a corpulent gentleman who was coming toward him, but he was not quick enough to elude Merle. The man with the eye-glasses did the same, but was slower.

Nothing in the manner of our young friend hinted that he had noticed the little byplay, but

he thought, as he entered he dining hall and was conducted by one colored waiter after another to a seat:

"They were talking about me. The blond youth was asking some questions, but I don't understand what answer the clerk could have given him, except that he knows nothing about me. My suit-case has been sent to my room, but I said nothing about leaving in the morning and for aught he knows, I am booked for a week or month. There are my name and address, written so plainly that no interpreter is needed."

When Merle sauntered into the office again, he saw nothing of the blond youth, though he might have been lounging in the vicinity. Merle went to the writing-room, wrote a letter to his parents and then took the elevator to his own floor, where he entered his apartments, one of the best on the second floor, not intending to leave it again until the morning. He wished to be alone that he might think, for it will not be denied that he never had greater need of calm judgment. He had entered upon an extraordinary task, where a single misstep might ruin the whole scheme. As

was his favorite custom, he slowly paced the floor to and fro, his feet making no perceptible noise on the soft carpet. With his hands loosely clasped behind his back and his eyes resting on nothing in particular, he reflected upon the strange revelation that had been made to him that afternoon and tried to lay out the course he was to follow.

Jack Ashland, the son of a multimillionaire, a college graduate and a man with many natural gifts, had gone wrong, and Merle Burton, who had scarcely a speaking acquaintance with him, was about to set out to try to bring him back to the right path. Was there any hope of success, and, if so, how was it to be won?

In the first place, it was not necessary to give any anxiety to the evil deeds of the young man committed in Chicago, and before his angry flight from home. Those were chiefly against his own father, who had condoned them. So far as that period in the young man's career was concerned it might be dismissed.

But his criminal acts since he joined a band of outlaws and train wreckers were of the gravest nature. The crimes of similar bands had led to the passage of stringent laws by the



various States that had suffered. The holding up of a train was punishable by a long term in the penitentiary. If a passenger or railway employee lost his life from the commission of such deed, every member of the band was guilty of murder, and the authorities in the West and Southwest were in no mood to handle them with gloves.

One question that remained to be answered was how far Jack Ashland had been concerned personally in these murderous deeds. If he had taken life or assisted in the taking of it, there was no more reason why he should be shielded from the consequences than there was for shielding the wretch who struck the fatal blow or fired the deadly shot. There is already too much coddling of criminals, and wealth and social influence too often defeat justice.

Admitting all this, Merle felt none the less that it was his duty to reclaim Jack Ashland, if such an achievement was within the range of human endeavor. If he could secure his withdrawal from the band of Tom Gibbons, he would weaken the company to that extent. Jack might be induced to turn State's evidence, though that was not likely, for the men who engage in out-

lawry are bound to one another by a certain chivalry, and even the officers of the law hold the informer in scant esteem.

Merle, as he slowly paced the floor, felt that he was and must remain in the realm of speculation until he had gone farther over the thorny path. He and President Ashland had theorized, but each knew it was almost wholly fruitless. Merle must reach Arkville before he could decide upon the next step to take.

"Bismarck, the greatest diplomat of his century, once deceived and overreached all the other diplomats, by telling them the frank truth. They were not uttering or expecting it themselves and were misled. Until the necessity appears for a change, I shall follow that policy; my name and address are on the register in the office down-stairs. I shall buy a ticket for Arkville by way of Baldmount Junction. I shall leave to-morrow morning if all goes well, and should reach that lonely station in the early evening. Then I shall take the best means that offers for opening communication with some member of Tom Gibbons' gang, and through him try to reach the prodigal son. It is there that the serious part of my business will begin,

and I shall have need for all the good sense with which Heaven may have gifted me — and for a good deal more.”

One phase of this remarkable business had never presented itself to President Ashland, but it was impressed upon Merle Burton during the memorable interview in the office of the president. The father relied upon the affection of his son for his mother and sister to bring him back to his home. There was good ground to believe that such an appeal would be effective, but there was grave reason to fear the reformation would not be permanent. It takes something more than a simple resolve for a criminal to turn from the error of his ways. The drunkard who swears to a life of sobriety when he sits by the dying bedside of his wife, seldom keeps the pledge. The miscreant who looks upon the terrifying death of one of his comrades, vainly calling for mercy, when he has sinned away the hour of mercy, and vows to lead a Christian life thereafter, and to atone so far as he can for his past evil deeds, rarely perseveres in the good way. The motive in both cases is wrong. In order to become a true Christian, the penitent must be overwhelm-

ingly convicted of the "exceeding sinfulness of sin."

Suppose Jack Ashland could be snatched from his wicked life and rehabilitated, — how long would such reformation last? What would he do after the novelty had worn off and the restraint had become irksome? Suppose his mother died and his sister married, thus forming other ties, would the young man stay in the narrow path? There could be no saving of Jack Ashland unless his reformation was thorough, his heart was changed and himself born anew.

Such a transformation must be brought about by the grace of God. Merle Burton felt this truth profoundly. He ceased his pacing of the floor, and, kneeling at his bedside, poured out his soul's supplication with the fervent, trusting simplicity of childhood. When he rose from his knees, he murmured reverently:

"I am but a humble, unworthy instrument in thy hand, Heavenly Father. Guide me in the way as Thou seest fit; spare me not, but use me as seems best to Thee."

Merle never slept more sweetly than he did that night, with the consciousness that he had

entered upon the work of his Master, and that he had his approving smile. He rose early, and, descending to the office, paid his bill. Before passing into the dining-room for his breakfast, he told the clerk that he wished to reach the Union Station in time for the eight o'clock train to Arkville, by way of Baldmount Junction. He did not speak like one who specially wished any bystander to overhear his words, nor, on the other hand, did he lower his voice, as does one who wishes to keep a matter secret. He saw nothing of the young man who had attracted his interest the night before, but was quite certain he was not far off.

"He will have time to learn all he wants to know while I am at breakfast."

A sweeping glance, as Merle passed out the front entrance to take a cab, failed to show the individual, and our young friend began to think that after all his suspicions were ill founded, but when he walked to the ticket window, there stood the blond young man as if looking for some friend. He did not seem to see Merle, who was one of half a dozen awaiting the chance to pay their fares, and the latter gave no evidence that he noticed him.

"Please give me a ticket for Arkville," said Merle, producing his pocket-book, and fumbling over several bills. "How much is it?"

"Seven dollars and thirty cents."

"I wish to go by Baldmount Junction."

"There's no other way to go."

"Then there is no doubt of my route," replied Merle. "I believe my train leaves at eight o'clock."

"If you will be good enough to specify which train you have purchased, I will try to find out and tell you; ~~our~~ train leaves at eight."

"I supposed the train belonged to the company, but am glad to learn that you are prosperous enough to be a joint owner; possibly when I return, you will speak of 'my train,' instead of 'our train.'"

"Who knows? If I do, I'll let you in on the deal."

"Thank you; I shall bear the offer in mind."

This badinage was with the utmost good nature on both sides. Merle talked for the benefit of the blond young man at his elbow, who showed his appreciation of the exchange by grinning and pulling at his mustache. It was almost car time and Merle passed out on the

platform and mingled with the scores of people leaving and entering the trains, who seemed to be hurrying toward all points of the compass. He found his own train without difficulty, for the employees were alert, and courteously answered the numberless inquiries which always follow the directions, no matter how plainly spoken.

Merle noticed that the train consisted of three passenger coaches and an express car,—there being no sleeper or day coach. He seated himself in the forward car, which was the smoker. It contained only eight men besides himself, and not one of them had he ever seen before. He waited till the train was well under way, then picked up his suit-case and passed into the next car, where he had no trouble in finding a seat by himself. He held this for twenty miles or so, when he went out of the rear door, stepped across the platform, and found a permanent seat in the last car of the train.

This shifting about was not because of anything in the nature of nervousness, but that he might learn whether the blond young man was a fellow passenger. Having inspected each car, Merle knew that he had been left behind in Chicago.

"He learned all he wished to know; he has telegraphed to Arkville that I am on my way to that wretched place, and in doing that, has done all that Tom Gibbons had a right to expect from him."

When the journey became monotonous and Merle tired of the exchange of town with country, wooded plain and stream, he read the big newspapers which he had brought with him, and they being finished, he immersed himself in a book, which he bought of the train boy. At noon he ate the lunch with which he had provided himself and then fell into a doze. At the different stations one or two men and women would get off and perhaps the same number come aboard. A glance at the new comers and at those who had been his companions ever since leaving Chicago showed none of special interest, and he made no acquaintances, during the long wearisome ride.

He was surprised and gratified to find that the train, although travelling a great many miles through thinly settled country, reached Baldmount station almost upon the minute scheduled. Here the one for Arkville was waiting for passengers. It lacked a half-hour of the time



for starting toward the southwest. Merle spent that period in pacing up and down the platform, for he had been seated so long that he felt the necessity of the exercise. Finally the conductor called "All aboard!" and the second stage of his eventful journey was begun.

## CHAPTER XV

### AT ARKVILLE STATION

It would be hard to think of a more dismal afternoon and evening than that which Merle Burton ran into on his journey to Arkville. When he left Chicago, it was warm and sultry. By the time he reached Baldmount, the sky was overcast and there was a drop of ten or twelve degrees in the temperature. It was fifty miles to his destination and before half the distance was passed, it became still colder and a fine drizzling rain began falling. Since it was unseasonable, there was no fire in the car, though one would have been acceptable. Merle donned the light spring overcoat which he had been carrying on his arm and buttoned it to his chin. He could have worn a winter overcoat without discomfort.

The view from the car window was in keeping with the weather. For mile after mile the rickety train rattled over the single track through

desolate pine barrens, stretches of swamp and stunted vegetation, where every leaf was dripping with moisture. At long intervals a log cabin was passed, where glimpses were caught of a man standing in the door in his shirt sleeves, smoking a corncob pipe and viewing the train with drowsy interest. At his side perhaps the slatternly wife paused for a minute or two, while several towheaded urchins peered from the windows, whose panes were mostly rags or blank paper. Once in looking out, Merle saw the trunks of trees on the further side of the cabin, — that is he looked through the chinks at front and rear.

“They must have winter in this latitude,” he reflected. “What misery, laziness and suffering! How little they are raised above the animals of the field and yet in their way they are content. If one-half the world really understood how the other half lives, no man would ever smile again. God pity them, for no one else does.”

Merle was seated in the forward of the two cars which composed the train, not counting the small one at the front which served for baggage and the accommodation of smokers. When the

start south was made, four passengers beside him occupied the seats. One was a frowsy, lank, stoop-shouldered man, with a dilapidated coat and no waistcoat, short hair, drooping under jaw, and a vacant, listless expression. He looked as if he had been suffering long from chills and fever and this was one of his days off, when he could partly enjoy life. Merle studied him closely from his place a few seats to the rear, wondering whether he could be a member of the notorious Tom Gibbons' gang, and had come aboard to watch him. A few minutes convinced our young friend that the fellow was anything but an outlaw. He doubled up in his seat and went to sleep, remaining unconscious until the conductor came through and roughly shook him by the shoulder.

"Didn't you want to get off at Owaco?" he asked, in answer to the confused stare of the passenger.

"Course I did."

"Why didn't you do it then?"

"Have we got there yet?"

"The station is a mile behind us."

"Great guns!" exclaimed the startled indi-

vidual, catching up his hat from where it had fallen on the floor. "Why didn't you tell me?"

"I called out the name loud enough to wake the dead. Hold on! don't jump off; I'll fix it for you."

Reaching up, the conductor gave two deliberate but vigorous pulls on the bell-cord; the engine whistled twice, calling for the hand brakes which were applied until the train came to a standstill. Then what did the engineer do but run back to the station, where he waved his hand and called a sarcastic good-by to the lank passenger, who paid no attention to him, but shuffled off and entered a winding path that wound through the wet woods.

The other occupants of the first car were a miserable-looking woman and two small children. They had soiled faces, climbed over her and the seats, and would have used Merle as a footstool had he permitted them to do so. He handed each a silver quarter on condition that they should stay near their mother and not trouble her.

At one of the stations the woman rose to leave the car. Merle helped her and the children off.

No doubt she felt grateful for the attention, but not once did she look at the prepossessing young man or utter a syllable to him.

Two men boarded the train at the same station. One was a corpulent, good-natured person in middle life, and the other evidently his son. He was still in his teens, but lacked the geniality of his parent. The latter bowed to Merle as he sat down on the other side of the aisle, remarked that it was a blamed unpleasant day, but showed no inclination to talk further. Merle himself preferred to spend his time in thinking over the business on which he was engaged, and the time passed without further exchange of words.

The two got off at a small station eight or ten miles down the road, and for the first time Merle found himself the only occupant of the car, though he had observed that several men and women were in the one behind him. By this time night was closing in. The dismal drizzle continued and only a blinking light now and then disclosed a human habitation at the side of the railway. The single brakeman lit the two oil lamps at the sides of the car and their dim sickly glow made the gloom more de-

pressing than before. Merle knew that they were steadily losing time while running free. Now and then the jolting was so violent that he thought the car was off the rails and bouncing over the ties, but something like comparative smoothness followed and he saw his mistake. When the conductor came through, the solitary passenger asked:

"How much behind time are we?"

The official slipped out his watch and held it so as to allow the lamplight to fall on its face.

"A little more than an hour," and then, as if slightly offended by the question, he passed to the next car and was not seen or heard again until he opened the rear door and shouted:

"Arkville! All out for Arkville!"

Merle gripped the handle of his suit-case and stepped upon the long, low platform and walked rapidly to the sheltered portion, which screened him from the chilling drizzle.

A young man had come out of the lighted office and stood under the glare of the single lamp with a paper in his hand which he handed to the conductor, who bustled forward with:

"Hello, Jo!"

"Hello, Gus! A bad night."

"Rather."

"How many?"

"One; here he comes."

As Merle stepped briskly forward, the conductor waved the lamp on his arm to the engineer, shouted "All aboard," and stepped on a front platform. The wheezy locomotive's wheels began slipping on the wet track and the train hitched gradually forward with many a jolt and jar.

"Is this Mr. Judkins?" asked Merle, halting in front of the young man, where both were protected from the rain.

"That's my name, though I'm not used to having the handle put to it. I take it you are Merle Burton?"

"I am; I left Chicago this morning and am glad to reach the end of my journey."

It was on the tongue of our friend to ask the other how he knew his name, but he thought it prudent to wait.

"You'll find a little difference between Chicago and Arkville; come inside."

Jo Judkins turned and pushed open the door behind him and Merle followed into the waiting-



room of the station. It consisted of a single rather large room, with one corner marked off by a railing and a wire screen above. This was the ticket and telegraph office. A stationary bench passed round the room, so far as the door and breaks in the wall permitted, but there were no stools or chairs for the convenience of passengers who might have to await the arrival of the train. In the middle of the room was a large, old-fashioned stove, and the pleasant warmth radiating from it showed that Jo Judkins had had a wood fire going for some time. The building itself was much better than the visitor expected to find in that part of the world, for it was made of boards, shingled and rough-finished on the inside.

The most interesting object to Merle, however, was Jo Judkins, telegraph and passenger agent at Arkville. He was apparently of about the same age as himself, with a bright intelligent face, rather broad, with fine teeth, which were continually displayed when he was talking, jet black hair, eyes and mustache. He was dressed in a rather worn business suit of gray and his movements showed that he was quick and alert. Although he did not seem to scruti-

nize his caller closely, Merle knew that each was engaged in taking the measure of the other.

The result of this effort, so far as our young friend was concerned, was what may be termed a suspension of judgment. He could not forget that President Ashland had told him Jo Judkins was engaged in some kind of detective work. He was in the heart of the region accursed by the Tom Gibbons' gang, and it was to be supposed that the reason he had not done anything as yet to bring the outlaws to justice was because the chance had not come to him, though it was quite likely he was restrained by his employer in Chicago, whose supreme wish was to save his son from the consequences of his evil deeds.

The question which Merle Burton asked himself when he stood face to face with the young man was whether he could be trusted. He was uncertain, and as has been said, he meant to take no rash step, and not to commit himself until his judgment told him it was safe to do so.

The agent sat down at the right of the door, facing the stove in the middle of the room. During the act, he motioned to Merle to do the same on the opposite side. It was all natural,

but Merle slightly wondered what the reason could be for placing the width of the room between them. There was only the single front door, but when the visitor obeyed the suggestion, he noticed that he too was seated by a window. In order to talk with each other, both must raise their voices, and a listener outside could readily overhear what was said.

"I suppose President Ashland has sent you down to look after his fences," was the first remark of Judkins, as he crossed his legs, lit a poor cigar, and leaned back in his favorite place on the bench. It struck Merle that he spoke louder than was necessary, but the reply was in the same tone.

"Yes; the O. & T. are at work and it won't do for us to be behind them. I shall look over the ground, but our real work will not begin for some weeks to come."

"I am glad you have come, for you won't have time to play ball while you are in this part of the United States."

"There must be considerable talk already about the candidates for the legislature."

"Only in some sections; it's all fixed in this district."

"Who will be the man?"

"Captain Archie Gorham; he had the office last year, and, if a fellow does right, it's the custom with both parties to give him a second term. The Captain will have a walkover unless —"

"Unless what?" asked Merle, observing the slight hesitation of the other.

"The O. & T. put up their man."

"Dare they do that?"

"They dare do almost anything; money talks."

"I understand from what you said that the Captain is popular."

"He's the most popular man in the district; he's as poor as Job's turkey, but no honester fellow ever lived. He lost an arm in the war, but he made a fine record and is proud of it."

"On which side?"

"Confederate. He went out as a private in the First Arkansas. At Pea Ridge he won his captaincy and lost his right arm, but it didn't take him long to recover, and he was with Kirby Smith when he was finally cornered and laid down his arms. There are some Union veterans in this part of the world, but every

one of them swears by Captain Archie, and of course the Confeds are for him to a man."

"Do you know how he stands on the railway charter question?"

"No; that wasn't an issue at the last session of the legislature, but from what I know of the man, I should feel like betting that he will vote right."

"I am quite sure of it from what you have told me, but I must have a talk with him; he is the first man for me to visit. Does he live at Arkville?"

"No; his home is about five miles west, near Dakamo station. He has a little place there on which he and his wife manage to make a living. He had two as fine sons as you ever saw, but both were killed in the war."

"I could hardly reach him to-night?"

"Not very well, though the distance is not far. This drizzle is likely to keep up till morning. If it is clear, or if it isn't clear for that matter, you can walk out to his home. How long do you expect to be in this section?"

"That depends on circumstances. I have considerable work ahead, and having come so far, it won't do for me to go back till I accom-

plish something. May I ask whether it is probable the O. & T. can influence Captain Gorham against his judgment?"

"I can answer by saying that no man in the world can do that. Take a pointer from me and don't hint of any plan you may have in mind of helping the Captain by the use of money. If I had to do it I should make sure my line of retreat was open. You know the O. & T. people will make use of arguments besides money, and they will have their smartest people on the ground. If they convince the Captain that he will be doing a public duty by voting against our charter, you may as well keep away from him. When set in his ways, you couldn't budge him with a double team of mules."

"He will listen to reason?"

"Yes, but you don't know what the arguments brought against him will be. It is prudent for you to get in your work first. See him tomorrow, and you may land him. That done, you need never give him another thought."

## CHAPTER XVI

### THE EAVESDROPPER

You will remember that Jo Judkins and Merle Burton were sitting on opposite sides of the waiting-room at Arkville station, with the stove between them. The agent was just far enough to one side to have a view of the visitor's face, so that their eyes continually met as each spoke or listened.

The conversation had reached the point named, when Merle Burton became aware of two suggestive facts: some one was walking softly up and down the platform on the outside, his course such that he passed the window in front of which the young man was sitting. The pace was irregular and there was only one person. He would walk slowly by, go several paces in his guarded fashion, and then turn and repeat his brief promenade. He may not have been trying to deaden the sound of his foot-falls, but it looked as if he did not wish it known that he was so near to the two men.

That he was playing the eavesdropper was apparent and he was giving more attention to the words of Burton than to those of Judkins. The latter had placed the other by the rear window in order to help the man outside. Thus far nothing had been said by either of the young men which the world might not have heard.

The second singular fact that broke upon Merle was that Jo Judkins had a small bit of paper in his hand, which he folded into a tiny wad. Seeing that the action was observed by his visitor, he winked an eye at him. A wink may mean a good deal and Merle accepted the present one as warning to make no reference to what he saw.

Suddenly, with a flip of his thumb, Judkins sent the paper bullet flying over the top of the stove. It was aimed so accurately that Merle caught it in his hand.

"Read it quick!" called the other in a husky whisper, "but look out for the man behind you!"

Merle noticed that the footfall had died out for a second or two. The stranger had reached



the end of his beat and was turning; he would be directly behind him in a few seconds. Merle nodded to signify he understood. Holding his hands in his lap, he began carefully unfolding the slip. Before he could straighten it out the footfall sounded again. He kept up the delicate work, but continued to converse.

"I am interested in Captain Gorham. I shall see him as early as possible. Is there any morning train?"

"We have one each way daily; the down train, that is toward Dakamo, is due here at ten o'clock, but is likely to be late. It has been on time only once during the past two weeks," said Judkins with a grin.

"How about the evening?"

"You will have to run the same risk. It should have met your train ten miles up the road, but it hasn't got here yet; it is waiting on the turnout at Dakamo."

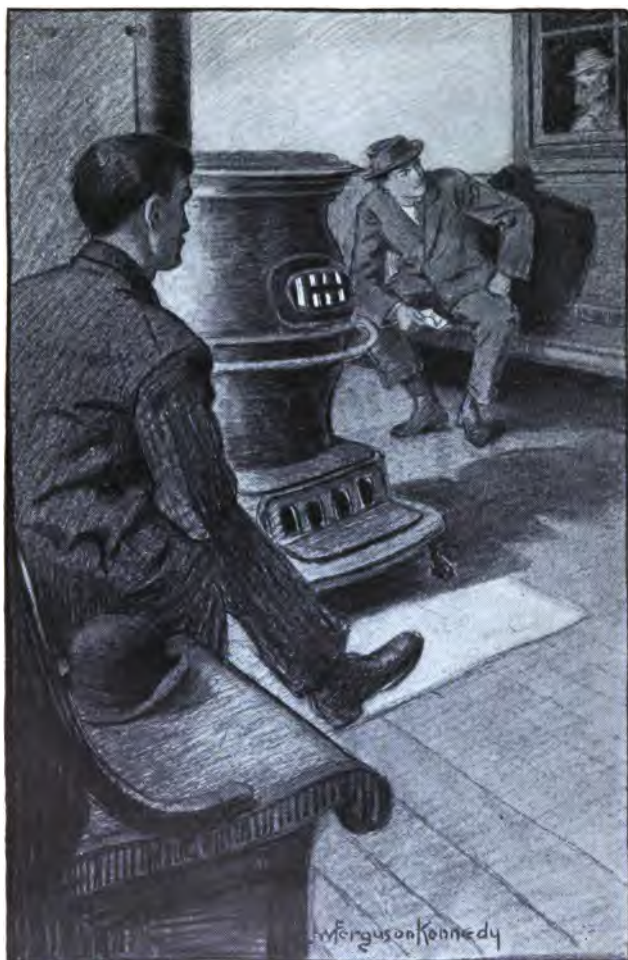
While this bit of conversation was going on, Merle was busy otherwise. He had gotten the wrinkled paper unfolded, but kept it in his lap until the sound of the footsteps died out again for a moment or so. In placing him on that

side of the room, Judkins had set him directly under the single lamp. By its light, the visitor read the pencilled words:

"You are watched; every word you speak is overheard; don't say anything which you do not wish to be known, nor try to communicate with me, even when you think it safe to do so; your coming was telegraphed ahead of you; if you try to play the detective, your life won't be worth a minute's purchase; destroy this and don't attempt to reply."

Merle had been quick to read the significant wording, but he had hardly finished when he heard the soft tramp, tramp behind him. Looking across at Judkins, he nodded his head. Then with a natural movement, after twisting the paper into the smallest possible compass, he raised his hand and placed it in his mouth. While Judkins was talking, Merle chewed and it did not take him long to reduce the paper to pulp. He took care to keep it in his mouth, shoving it aside with his tongue, where it did not interfere with his speaking.

Since Judkins had done no writing while seated on the other side of the room, it was evident that he had placed his message on paper



“HE HAD HARDLY FINISHED WHEN HE HEARD THE  
SOFT TRAMP, TRAMP BEHIND HIM”

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before the arrival of the train. He being the telegraphist of course read the Chicago message previous to passing it to the man to whom it was addressed.

Merle would have given much to ask a few more questions, but he could not forget the warning and there was little necessity for his learning more at this time.

"Well, since you are here for the night, you are hungry and in need of a sleeping place," said Judkins in his off-hand manner.

"Both suppositions have a solid substratum of fact," replied Merle.

"I should like to take you home with me, but we have accommodations at the private house for no more than myself; besides," added the young man with a wink, which he made sure was not seen by the shadowy figure that had just glided by the window, "you being a stranger to me, I am hardly disposed to play the good Samaritan and take you in."

"You would be running no more risk than I, but I do not expect anything of that nature. What is your disinterested advice?" asked Merle, rising to his feet and lifting his suitcase.

"Arkville isn't much of a city yet, though when we get the new road through it will be the metropolis of this part of the State. Still we are proud of our Metropolitan Hotel."

"Whew!" laughed Merle, "the name is big enough."

"It might have been the Palmer House or the Auditorium. I'll show you the way."

He opened the door and the two walked out on the railway platform. It was still drizzling and the darkness was like that of ancient Egypt. Several lights twinkled here and there and showed the location of most of the houses which made up the little town of Arkville.

"You see those two lights in front of you, not more than a hundred yards away: that's the Metropolitan Hotel of Arkville. A path leads straight from here to the door."

"I judge from that fact that it has a bar-room," chuckled Merle.

"It has, for the accommodation of passengers on this branch of the P. Q. & G.; I shouldn't advise you to be too generous in your patronage; I hope to see you again to-morrow."

"I trust so; good night."

"Good night," returned Merle, who turned and began picking his way across the track and along the muddy path. Half-way to the inn, he cleared his mouth of the paper pulp.

"I don't think that writing will betray any one," he muttered, as he stumbled forward in the wet darkness.

Jo Judkins stood on the platform of the station, watching the shadowy form as revealed now and then, when it loomed between him and the lights beyond. By and by he saw the door of the Metropolitan open, he recognized the graceful form with the suit-case as it passed through, and then the closing of the door shut him from sight.

Even before this took place, Judkins was aware that a man was standing on the platform a few steps away. He was just beyond the dim, yellow circle thrown out by the lamp suspended overhead, but he knew who the man was. The latter remained motionless, and Judkins walked toward him, as if the meeting had been arranged. There was enough light for Jo to recognize the slouch hat and the dark, heavy whiskers which covered the face almost to the bright, glittering eyes.

"Well," was the inquiring remark of the fellow, "what do you make of him?"

"It strikes me he's all right, Tom; those detectives are mighty cunning, but he talks straight from the shoulder; you heard what he said?"

"Yes, and what you said, too; you didn't fix it up between you?" asked Gibbons.

"Of course; I arranged that he should come down here, pretending he is in the employ of the company the same as myself, and all we said was to shut up your eyes; oh, of course."

The man with the big whiskers chuckled. He must have his little joke, and fortunately Jo Judkins knew how to take him.

"Well, it won't do for him or any one else to try any of his tricks in this part of the world," growled Tom Gibbons, still keeping in the gloom, though it would seem there was no need of doing so.

"Wait a day or two; give him a little lee-way; if he uses the telegraph, as he will be quite likely to do, I shall find out what he is driving at."

The outlaw accepted this as another assurance



that the young man was ready to betray his trust, for the benefit of the criminals.

"He will stop at the Metropolitan to-night; I'll drop over there, after the up train passes, and I can close up; I'll sound him and think I'll learn something."

The form dissolved in the gloom, and a few minutes later, the train rattled into the station. No passengers got off or on, and Jo Judkins passed behind his railing to make his preparations for closing for the night. These were simple and he might have left within the following five or ten minutes, but he spent considerable more than that time in pencilling a letter in a fine hand. That finished, he compressed it into the smallest space possible, turned out the lights, locked the door, and, swinging a small lantern, walked across the track to the Metropolitan Hotel.

Meanwhile, Merle Burton had preceded him. As he opened the door, he was struck by the cheerful warmth, which after his long exposure was agreeable indeed. A big wood fire was crackling on the broad hearth, several empty chairs were in front, but the only occupant of

the room just then was the landlord, who was smoking a strong black cigar and helping himself to a half-tumblerful of his own vile liquor, for the office of the hostelry was also its bar and lounging-room.

The landlord was a bulky man in his shirt sleeves, with a flabby, scowling face and as sour an expression as can be imagined.

"Good evening!" called Merle in his cheery fashion. "I wonder whether you can put me up for the night? I got in on the train a little while ago and am as hungry as a tramp."

"We kin take care of you."

"Including a supper?"

"Guess so; I'll see."

The landlord swung his big form through the door at the end of the bar and was gone only a brief while. When he returned he said:

"Supper's ready; I'll show you."

He turned as if on a pivot and Merle followed. The Metropolitan kept no register, at least Merle saw none, but the house was always prepared for the transient custom which now and then came that way.

"I don't suppose you have many guests at this season?"

The remark was meant to be a social proffer, but the glum landlord gave no sign of having heard. He piloted Merle into the spacious dining-room and motioned him to a seat at the head of a long table, where his food had been grouped around his plate, while none showed anywhere else. A kerosene lamp sat near him on the somewhat soiled table-cloth, but not another person was in sight.

"If you want anything that you hain't got, holler!"

With this the landlord swung around again and sagged out of the room.

Left to himself, Merle was not long in discovering there were several things which he would have liked to have, but he chose to go without them, rather than call as he had been told to do. He made a better meal than he expected and then returned to the office and lounging-room.

There he found two persons had come in and were seated in front of the open fire, talking in a jerky fashion with the landlord, who had some sort of seat fixed up behind the bar which he preferred to any other. He was still smoking his cigar, but so weakly that it was hard to tell

whether it had shrunk any in length during Merle's absence.

The men who were talking together were of ordinary appearance, one of them being lean and stoop-shouldered, and both wore slouch hats which they kept on their heads. They were dressed like farmers, and the clothes of both were wet. Merle noticed that each had his trousers tucked in the top of his boots and neither displayed any weapons. They were smooth shaven and, rather curiously, neither was smoking pipe or cigar.

They nodded in reply to the young man's greeting, but seemed to feel no interest in him, and kept on talking as before. Merle had hardly settled himself in his chair, which was very comfortable, when the door opened and Judkins entered in his breezy fashion. He knew the visitors, called them by their nicknames, took the chair next to Merle and said:

"How did Bulge use you?"

An explanatory nod towards the ponderous form behind the bar made clear to whom the speaker referred. Merle replied:

"Couldn't ask anything better; I have had

a good supper and I'm mighty glad to be housed so comfortably on this wretched night."

"Bulge means all right, but he ought to have been caught when young; you must make allowances for him."

The two strangers to Merle grinned appreciatively, but the landlord slowly puffed his cigar and gave no sign.

"He doesn't need any allowance; he understands hotel keeping."

Jo Judkins now proceeded to the real business that had brought him into the office of the Metropolitan Hotel of Arkville.

## CHAPTER XVII

### CAPTAIN ARCHIE GORHAM

Jo spoke directly to Merle Burton:

"Are you going to stay long in this part of the country?"

"I think not more than a few days in Arkville, but I may travel back and forth for several weeks in the southern part of the State."

"I suppose you are here on business for the P. Q. & G?"

"Yes. The company will have a big lot of men to work before the legislature meets; we must get that charter through this winter."

"It will be a mighty good thing for us all, if you do."

"There is no question about that. We hope to make it so clear to the citizens that we shall have a solid vote, with the exception of those from the upper part of the State."

"And I reckon a few from elsewhere," said Judkins significantly, "but the P. Q. & G. prob-

ably has got as long a pocketbook as the O. & T."

"I don't expect to spend any money to buy votes; I have more faith in the sense of fairness among your people."

"That's well enough, but don't count too much on it. I told you at the station that Captain Archie Gorham will be the next member from this section. Do you think of going out to see him?"

"By all means; I wouldn't omit making the acquaintance of the Captain."

"'Twon't do you no good, if you do."

This remark came from the landlord, from his perch behind the bar.

"Why not?" asked the surprised Jo.

"You remember that chap with the bushy side-whiskers who arriv two nights ago?"

"Yes; he told me he was looking over some tracts of land that a syndicate thought of buying."

"Humph!" grunted the landlord; "it ain't land they are after, but men, as'll have a vote in the legislatur'; that chap made a bee line up the road yesterday on his way to see the Cap."

"Why didn't he wait for the train?"

"Remarked as how he was in a hurry and would walk."

Jo joined in the laugh at his expense.

"You think because the fellow with the mutton chop whiskers has talked with Cap that there isn't any use of any one else doing so?"

"It's the feller that gits in the first blow that wins."

"It must be the right kind of a blow or he won't win," said Merle. "I shall walk down the road to-morrow to have a talk with Captain Gorham, and not being in much of a hurry, will take the train back to Arkville to-morrow night."

"Provided it comes along afore morning; generally it's a week or so late," added the landlord, who could not help touching up the agent when a chance offered.

"I'll take chances," said Merle.

In saying what has been quoted, our young friend not only acted out his purpose of being straightforward, but did the very thing Jo Judkins wished him to do. He had made public proclamation, as may be said, of his plans, and so long as he lived up to them, he was in little personal danger: that phase of the situation was sure to come, however, ere long.



At this moment Jo Judkins passed his hand thoughtfully over his face, as if feeling the growth of his beard. It was a natural movement, but as he made it, he looked into the eyes of Merle Burton. The latter observing him closely saw that he had a small twist of paper so palmed that no one else could see it. The slightest nod and a quick glance told Judkins he was understood.

"I notice that you have a hat like mine," said Merle. "I wonder if it is of the same size."

"Shouldn't wonder," replied Jo, handing his hat to Merle, who passed his own to him. They tested them and found their sizes the same. As Merle donned the headgear of his acquaintance, Jo took off the other hat and looked inside to note the maker's name, passing his finger over the strip of silk.

"Yours is from New York and mine from Chicago, and yet it may be they were made by the same manufacturer," remarked Jo, as the hats were exchanged again. When Merle returned his own to its place, he was sensible of a slight protuberance under the sweat-band. He knew it was made by the bit of paper which Judkins held in his hand a few minutes before.

The conversation went on for half an hour, when Jo rose to his feet, bade the party good night and departed for his home. Soon after, Merle told the landlord he would be obliged if he would show him to his room. The proprietor came heavily down from his place and went through the door again at the end of the bar, soon reappearing with a lighted candle in each hand. He nodded to Merle, who said good night to the two loungers, picked up his suit-case from beside the bar, and followed the landlord up a rickety pair of stairs to his room, which was at the end of a long hall. Although the apartment was small, the guest was pleased with its cleanly appearance. Like the meal, it was better than he expected to find. The landlord grunted in reply to his parting salutation, and Merle bolted the door after him, as he turned and began lumbering along the hall.

Setting his candle on the small stand at the foot of the bed, and making sure that no peeping Tom could see what he did, he carefully unfolded the slip of paper and read:

"I am convinced that you have come to Arkville with a message for Jack Ashland. If I am right, don't hint it to any person, for it will

cause suspicion. I can assure you that you will meet him face to face within the next forty-eight hours — probably in less time. Walk out to Dakamo and have your talk with Captain Gorham; start back on the afternoon train; it may be late, but wait for it. This must be done to-morrow, for to postpone the visit will cause inquiry and distrust.”

(“That’s what I have announced I shall do,” was the pleasing reflection of the reader of the pencilled letter.)

“You heard the footsteps on the platform outside the waiting-room this evening when we were talking. The listener was Tom Gibbons himself; I had a few words with him afterward. He is keeping tabs on you; every movement you make will be reported to him.

“Meanwhile, I have two requests to make: first, destroy this bit of writing; second, *keep away from your window* while in your room.”

The brief letter was without any signature, for none was needed. Having made sure that no word of writing had escaped him, Merle twisted the paper into a taper, and held it to the flame of the candle, until only the blackened fragments remained. Whatever might happen

Jo Judkins would never be undone by any writing found upon Merle Burton.

It caused a discomforting twinge to be advised not to expose himself at the window, and there could be but one meaning to the warning. The window was closed, and Merle could not sleep with any comfort without plenty of fresh air. He met the difficulty by waiting until he was ready for bed, when he blew out the light, moved softly to the window, and gently raised it as far as it would go. Looking out in the night he saw signs of clearing weather, and was sure that the next day would prove a pleasant one.

Falling asleep, Merle did not awake until the sun was high in the sky. He was not disturbed, and, when he descended to breakfast, the others had finished and he again ate alone. He decided not to visit Captain Gorham until afternoon. He lounged the tiresome hours away, until it was time for dinner, after which he started down the railway track for the five-mile walk to the little station known as Dakamo. For almost the whole distance, the worn track led through the pine woods, still dripping with moisture. A more lonely region cannot be pic-

tured. He did not see a dwelling or living person on the way to his destination. The note of Jo Judkins had led him to think he was likely to meet some member of the Gibbons band, and he rather hoped he would do so. It would open a way to send a message to Jack Ashland, whom he must contrive to see before he could make a real beginning of the work that had brought him thither.

Merle passed round a bend of the road, with its ribbons of iron stringing along the depressions in the rails, when he came upon an open space of several acres, where corn, potatoes, and other vegetables and fruits were growing. In the middle of this clearing stood a small log cabin, with flowers growing along the front, and a covered porch just large enough to permit one or two chairs to occupy the space. There was a single window on each side of the door, and at one of these a man was busily trying to repair the broken sash and panes.

A glance at this person left no doubt of his identity. He was of massive build, dressed in coat, overalls, and heavy boots, with a dilapidated cone-like wool hat, and was smoking a corn-cob pipe. His right arm was missing, but

the dexterity he showed with his left seemed fully to make up for the loss. His face was covered with a luxuriant, grizzled beard, and his physique recalled Jack Disbrow, who physically was much superior to ordinary men.

Merle noted the switch and tiny structure a hundred yards down the road, which made known where the station of Dakamo stood, but he saw no other building, except the neat log cabin in front of which he had halted. The owner did not even look around until the young man, standing some distance above him, called out:

"Are you Captain Archie Gorham?"

The one addressed turned about, hammer in hand, looked keenly at the other from under the rim of his hat and said:

"That's me; who're you?"

Merle gave his name, keeping his place between the rails at the top of the embankment.

"If you've got any business with me, come down and let me know what it is."

"I should be glad to have a talk, if you can spare the time."

"Huh! my time ain't so vallyble that I can't

afford to throw away some of it on a stranger; how'r you?"

This question was accompanied by the reaching forward of the left hand palm downward, which Merle grasped. It was the middle of the afternoon, and the air had become warm and almost sultry. The visitor lost no time in explaining who he was and why he had come to see the Captain. The latter turned his head and called:

"Lump! Say, Lump!"

His wife, a thin, but pleasant-faced woman with spectacles, promptly appeared at the door.

"Fetch out a chair for the gentleman; him and me is going to have a little talk; I've let my pipe go out; I wish you'd fetch me a match."

There was barely enough room for two persons to sit on the small porch. Since it was clear to Merle that he was to have all the time he wished, he did not plunge directly into the business that had brought him thither. No man could have managed his task with more diplomacy and skill. He drew from the veteran a partial story of his war experiences — and many

of them were thrilling in their way — and when Burton said his father had served through the war on the Union side, the eyes of the Captain kindled. Although Mr. Burton had not been wounded, yet he had been taken prisoner, and spent several months in Libby Prison. He was a member of the party who tunnelled their way out, and one of the few who reached the Union lines. Merle had heard the stories of his parent so many times that he gave every particular, and never did he have a keener listener.

But it was the account of President Ashland's rescue when a lieutenant by the heroic Jack Disbrow which fascinated Captain Archie Gorham. He did not stir nor speak until it was finished.

"There never was a war which had so many of sich doings," was the veteran's comment; "fact is, I've never been able to understand why we ever fout at all; I guess it was all the work of the politicians."

"There is no doubt of that, — at least to a large extent; it has always been so with all nations. The millions are led by a few selfish leaders to try to kill each other, while those



who brought on all the trouble take good care to keep beyond danger; when the fighting is over, it is they who reap the larger part of the reward."

## CHAPTER XVIII

### "YOU'RE WANTED"

THE warm sunny afternoon drew to a close while Merle Burton and Captain Archie Gorham sat talking on the little porch. That the veteran was pleased by the young man was as clear to the latter as anything can be in this world, and it was to the credit of Merle that he won the good-will of the elder by being himself. Naturally genial, clear-witted and entertaining, he delighted the old man by his anecdotes, some of which were so funny that the big fellow shook with laughter. Indeed his merriment was so boisterous more than once that his gentle wife came to the door, wondering what it all could mean.

Finally, the caller came to the point. He was the representative of the P. Q. & G. Railway, and he had come to try to persuade the legislators that they could not do a better thing for their State than to grant the charter to the P.

Q. & G., which would permit the company to extend their branch line across and make connection with one of the main stems in the adjoining State.

"I've thought over the whole thing, 'specially since yesterday," replied the Captain, refilling his pipe and speaking with deliberate gravity; "I'm going to be renominated and elected to the legislature; if I live to go there, my vote will be cast for the charter you folks want; so that's settled."

"It's what I expected to hear you say," remarked the pleased Merle.

"Why did you expect it?"

"I've been told that you are honest, I know that you are intelligent and beyond the reach of bribery."

"Then you've talked with Mr. Luke."

"Mr. Luke! I never heard the name before."

"Dresses like a dandy and wears big side-whiskers."

"Is he the gentleman who called on you yesterday?" asked Merle, remembering the description he had heard at Arkville.

"No; he ain't the gentleman, but he's the chap all the same; he was sent down here by

the other company, — the O. & T.; the weather yesterday wasn't very good, so I took him into the house where we could talk with comfort. When I told him I was in favor of the new charter, what do you s'pose he said?"

"I haven't any idea."

"He said, 'All right; we heerd that, but we can make it an object to you to vote agin the charter, which will ruin the upper part of the State.' I warn't quite sure what he meant, and asked him to explain. He laughed agin and said, 'Oh, that's all right.' Fact is about half what he said was, 'That's all right,' and then he said my election would cost a little bit of money, and the O. & T. always looked after its friends. I told him my election hadn't ever cost me a bit, and it never should. Then he got pert and give me to understand that if I was uppish about the business, the O. & T. would see that a man was put up that they could depend on and I'd be left at home. The only way for me to be sure of ever seein' the inside of the State House agin was to give my pledge that I'd vote agin the charter. Afore I could stop him, he reached in his pocket and took out a wad of bills as thick as my wrist, and a big

envelope that I s'pose had the paper I was to sign.

"Wal, he got that fur afore I understood him. Then I riz from my cheer and, having only the one arm, which is as strong as both used to be, I grabbed him by the slack of his trousers. He tried to hold on to the floor with his toes, but I hunched with my shoulder so as to steer him right, and he come through that winder head fust, taking the sash with him, and ruining every one of the panes. While he was scrambling to his feet I chucked his hat after him, and told him he better git, afore I could reach him by passing through the door. He got."

Merle Burton threw back his head, and his ringing laughter could have been heard a half-mile down the railway. It was the funniest thing he had heard in a long while, and it was the funnier because the veteran never smiled while telling the incident, nor after he had finished. He resumed smoking his pipe, and looked quizzically at his caller, whose loud merriment brought the wondering wife again to the door.

"Lump thinks I was a little brash; mebbe

I was, and sort of forgot myself for the minute, but I can't feel very sorry, though I've got quite a job to fix up the winder. That's what I was doing when you come along."

The Captain looked sideways at the fractured panes and sash, as if the problem was a serious one. Merle was quick to say:

"I think, Captain, it is only fair that our company should repair that loss; what do you estimate the extent of the damages?"

The old Confederate rose from his chair, stepped down off the porch and paused contemplatively in front of the window. Merle followed.

"I can mend the sash so it will sarve — I should say about six bits would buy the panes and all the putty needed."

Merle extracted a five-dollar bill from his pocketbook.

"Those things always cost more than you expect; take that and make the window as good as before."

The Captain looked at the bill, hesitated, and finally shook his head.

"'Tain't honest; the company hadn't any-

thing to do with smashing the window, and there ain't any reason why it should pay."

"But if there was no P. Q. & G. the window wouldn't have been broken."

"That won't work: the jackanapes of the O. & T. was the cause; if *his* company wants to pay for the winder, I'll let 'em do it, but nobody else can. Besides," naively added the veteran, "I think the pleasure it give me to h'ist him through was wuth all it'll cost to fix things up agin. No; put up your money."

Merle regretfully did so, for he understood the old man too well to presume upon his principles. They returned to their seats on the porch.

"I'll promise to vote for your charter on these tarms: in the first place, neither you nor the company nor any one acting for you shall put a penny to git me the nomination or to help elect me after I git it. Can you make me the promise?"

"I give it to you and assure you it shall be kept."

At the same time our young friend chuckled within himself. What splendid campaign material this incident would make! The orators and workers of the P. Q. & G. should tell it from

one end of the district to the other; it would not only add to Captain Gorham's strength among the voters, but would frighten the weak-kneed nominees. It was sure to be more valuable than ten thousand dollars flung into the campaign.

"The other condition is that you stay over night with me; young man, I like you, and I want to talk with you about the war and what your father and me done in it; I'd like to have you with me for a week, but I don't s'pose you can stay that long."

Merle finally compromised by agreeing to remain to supper. He had promised to go back to Arkville on the evening train, but he assured Captain Gorham that he would come to see him again whenever the chance offered, and he did not forget the promise.

This is a good place to glance forward for a few months. Mr. Luke, whom the veteran assisted through his window, did all he could to prevent the Captain's renomination, but quickly saw it was impossible, and after the nomination he wasted no money in trying to defeat the old hero. The story of his exit from the Captain's dwelling was told so repeatedly and caused



so much ridicule that he withdrew from the section and put forth his energies in other quarters. Captain Gorham was reelected by a much increased majority, but when the proposed new charter came before the legislature it was defeated by a tie vote. Great is the power of "graft," and, although the O. & T. in a moral sense were no more guilty than the P. Q. & G., they must have understood better how to distribute the funds and how to make the more convincing "arguments." However, the P. Q. & G. were apt pupils, and a year later they secured the coveted charter with a dozen votes to spare.

Returning to Merle Burton's first call upon Captain Gorham, he spent several of the most enjoyable hours of his life. The evening meal could not have been simpler, with its fried pork, corn pone, potatoes, and weak coffee, but the three who sat down were in fine spirits, and the young man knew how to bring a pleased smile to the wan face of "Lump," the patient wife, and how to make the massive shoulders of the grisly veteran bob up and down with merriment.

When it was time for the train, Merle bade them good-by and walked down the track to

Dakamo station. The distance was such that he did not dare to wait until he heard the whistle of the approaching engine, which might not stop unless he signalled for it to do so. There was no agent there, and the station building was a small shed, with a projecting roof, which left open the whole side toward the track. Captain Gorham explained to Merle that he would find a lantern with a red light standing under the bench. It was placed there by the agent who visited the station each day, and all Merle would have to do was to suspend the light on the peg provided, seeing which the train would draw up and take him aboard.

It was not dark when he reached the primitive station. No person was in sight. Holding his watch in front of the lantern, he saw that the train was due, and hung the light in place. By and by night shut in, and his surroundings became gloomy. The illumination of the new moon was hardly noticeable, and the woods and undergrowth in every direction seemed all the darker because of the faint contrast. Just beyond the station, a highway crossed the track, but it was slightly travelled, and not once did he hear the sound of wagon wheels. A half-

hour after his arrival, however, a man passed on horseback. Merle could not see him or his animal, but the sound of the hoofs told the story as plainly as if the sun were shining.

"The P. O. & G. can depend upon Captain Gorham," reflected Merle Burton, slowly pacing the rough planks. "I have really done nothing for the company by my visit, for he had already made up his mind to vote for our charter. But I am here to meet Tom Gibbons, and I don't see that I am any nearer doing so than at first."

The belief of our young friend was that by his call at Captain Gorham's he had done enough to make it appear that his ostensible errand in the section was the real one. He had announced at the Metropolitan in the presence of several listeners his intention of walking out to Dakamo and making this call. He had done as he said he meant to do, and was now waiting to finish the part laid out for himself. The note from Jo Judkins gave him grounds for believing that the coveted meeting with the runaway son was near at hand, though it was impossible to forecast how it was to be brought about.

Throughout his long talk with Captain Gorham, Merle had not referred in any way to the

Gibbons band of outlaws. It need not be said that the young lawyer had as much faith in the veteran's integrity and truthfulness as he had in Jack Disbrow's manly qualities, but such aggressive men are not as a rule tactful, and, though they mean well, are liable in certain circumstances to injure the cause of their friends. If Merle asked anything about the criminals, who must know of his visit to Dakamo, the Captain would tell everything he said to any inquirer. So our young friend had been only prudent.

Looking down the dark track, a few minutes after hearing the engine whistle, Merle saw the glow of the headlight as the train came round a curve. He was the only passenger waiting, and no one stepped off as he got on board. The train, like the former one, consisted of two cars and the combined baggage and smoker. He entered the front car, in which a woman was sitting well forward, but she was the only occupant beside himself. He walked to the middle and sat down. Almost immediately the conductor came to him, took up his return ticket to Arkville, and, without speaking a word, passed into the rear car.

As nearly as Merle could judge, about half the distance between Dakamo and Arkville had been passed, and the train was rattling forward over the worn rails, when he noticed that the brakes had been applied, and it was coming to a halt. He had not heard any call from the whistle, and knew there was no station at that point. Shading the side of his face with his hand, he peered out in the gloom, but saw nothing to explain the pause.

Something led him to withdraw his gaze and look toward the front of the car. A man was on the platform and peering through the glass of the upper part of the door, as if looking for some one. The face was shown so plainly in the reflected light that Merle recognized the owner as the lank figure who sat in front of the wood fire at the Metropolitan Hotel the evening before. He pushed open the door and came down the aisle toward the single male passenger, upon whom he had fixed his eyes. He walked briskly and never once removed his gaze.

"He is looking for me," was the thought of Merle, and he was right.

Halting just in front of the young man, the stranger asked in a low, deep voice:

"Is your name Burton?"

"It is."

"Merle Burton?"

"Yes."

"You're the man we're looking for; you're wanted; come with me."



“‘YOU’RE THE MAN WE’RE LOOKING FOR; YOU’RE  
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## CHAPTER XIX

### IN THE CABIN

THERE were several remarkable features about this hold-up of the northern bound railway train, on a branch of the P. Q. & G.

The only purpose in stopping the engine was to take Merle Burton off. Although the passengers were few in number, no others were molested. Not the slightest attention was shown them, and, on their part, they displayed no special interest in the proceeding.

The man who walked down the aisle and ordered the young lawyer to follow him had no weapon in his hand, though a revolver was within instant reach, and no one could draw more quickly than he. More singular perhaps than all, he did not command Merle to throw up his hands, in accordance with the rule in such circumstances. It looked like defying fate for the lank man thus to act toward a stranger, who, for aught he knew, might whip out a

weapon and drop him in his tracks, but he was not so rash as might seem to be the case.

Merle decided to obey the command, for the good reason that he could not help himself. Moreover, it flashed upon him that the opportunity he was seeking had come. This man was a member of Gibbons' gang and would conduct him to the presence of his chief, or at least open the way for a meeting with him.

"I am at your service," replied Merle, rising to his feet; "it is rather unusual to ask the company of a gentleman in this fashion, but I presume you have your reasons."

As he rose, he discovered for the first time that a second man was standing in the aisle behind him. He was the other individual who made one of the little party in front of the hotel fire on the previous night at Arkville. While Merle was outlining his intentions, two members of the Tom Gibbons band were listening at his elbow and calmly looking him in the face.

These two were the only ones who had held up the railway train, and neither of them was the leader. The hand of the second man rested on the butt of his revolver at his hip, and he

would have been sure to anticipate any hostile movement on the part of the prisoner. So it was that the captors were not so reckless as might appear.

The first one walked to the front of the car, Merle just behind him, with the second bringing up the rear. With the hand of the leader on the door-knob his companion said:

"Better search him, Sam."

Sam turned about, and, by the light of the lamp, ran his hands lightly up and down the clothing of the captive, touching every part where a weapon could have been concealed.

"I have nothing more than a penknife," said Merle, who could not help a feeling of partial amusement at the singular predicament in which he was caught.

"He's all right," remarked the searcher; "come on."

Stepping down, the speaker leaped to the ground, Merle did the same, and the other stood beside him the next moment. The first called to the conductor, who was standing on the rear platform leaning over and surveying things as best he could in the gloom:

"Go ahead, Jim! it's all right."

The conductor pulled the bell-cord, which his hand was grasping, the whistle tooted, and the train began jolting forward, soon disappearing in the darkness.

The trio stood beside the rails until the last car was by, when Merle said :

"If you had let me know of this invitation at Arkville, I should have brought my suit-case along."

"Don't be so glib, young feller," was the curt response of the leader; "better keep your mouth shet and do as you're told; keep right atween us and don't try any funny tricks."

The advice struck Merle as sensible, and he followed it. The three walked along the track in Indian file for some two hundred yards, when they passed down the embankment and entered a path. In the gloom, Merle could see nothing of it, but it was so familiar to the two men that they walked over it as readily as if the sun were shining. With one in front and the other close at the rear, it was not difficult for the captive to keep pace with them.

They had not gone far when Merle knew from the feel of the earth under his feet that they had come into the little travelled highway

which probably crossed the track at Dakamo, and must therefore have made quite a change in its course. A fourth of a mile farther and they turned off, followed a second path a little way and then arrived at a cabin, which recalled the one occupied by Captain Gorham.

The leader pushed open the door and stepped across the threshold. Merle was close behind him, and the rear guard was almost treading on his heels. The two were the only occupants of the cabin, at least for the time, though it is not to be supposed that they lived there alone. Merle wondered, as the evening advanced, that none of the outlaws showed up. The room which they entered consisted of the whole lower part of the cabin, whose log walls were so well chinked that the only ventilation was through the door, the windows, and the fireplace. In the latter, despite the warm night, a wood fire was burning so brightly as to show that the flames had been renewed since the departure of the two men who held up the train. The light thus given out was the only illumination needed to fill the apartment with a mellow, subdued glow. Four chairs, a small table, and two rough wooden stools completed the furniture of the

room. But on the pegs, on one side, were suspended a number of garments, and a sloping ladder, which led to the upper apartment, indicated that sleeping quarters were there, though such rough characters would have felt no hardship in spreading their blankets on the planks below. The door was broad, of heavy make, and fastened in the fashion of the frontier, — that is by pulling in the latch-string. It was evident that this cabin was a sort of headquarters for the criminals, and that they did little more than sleep there when it was prudent to do so. No stove was to be seen, nor were there any of the appliances used in former times for boiling and preparing food over the wood fire.

Naturally Merle Burton did a good deal of thinking while on the way from the railway train and after his arrival at the cabin in the woods. He had received two communications from Jo Judkins at Arkville, but he himself had not been able to send him any inquiries in return, nor to talk confidentially with him. He saw that the agent felt it was too dangerous to himself to attempt anything of the kind, and Merle was too considerate to imperil the young

man who must always be in more or less danger from the suspicious criminals who held full sway around him, and would make short work of any one who gave cause for distrust.

But the all-important question for Merle to decide was as to the meaning and purpose of his capture by these two members of the Gibbons band. He was justified in believing that no personal harm was intended for the present, for were it otherwise, why should he have been brought to this out-of-the-way place? Why was he allowed to walk for five miles down the track, when it would have been the easiest thing in the world for one of the band to shoot him from ambush?

These phases of the situation saved Merle from being alarmed to the extent that in other circumstances would have been inevitable. Besides, as has already been stated, he believed the way was open for getting word with Jack Ashland.

When the two men entered the cabin in the woods, they tossed aside their hats, lit a pipe apiece, each sat down in one of the chairs, crossed his legs, and seemed oblivious of the presence of a stranger in the room. Merle also

seated himself and waited some minutes for them to speak. Since they did not exchange a word with each other, he decided that they were awaiting the coming of one or more members of their band. He was unwilling to keep silent for that time, which might be short or long.

"I suppose you have no objection to my speaking now?" he said, glancing inquiringly from one to the other.

"Wal, what do you want?" asked the lank fellow.

"I should like to know why I was taken from the train and brought here."

One of the couple smoked in silence as if he heard not. The other, who did most of the talking, said:

"You'll have to wait till Tom is ready to tell you; don't know when that will be."

"Will he be here this evening?"

"Can't say."

"If you can get word to him, I wish you would say that I bring a message to Jack Ashland."

"Never heard of the man."

"Possibly Gibbons has; if you will say to



him that I have a private message to young Ashland, perhaps he will find some way of getting it to him."

"Wal, if I see Tom in the course of a week or so, I'll tell him what you say, — that is, if I don't forgit it."

"The message is very important, and I am sure Gibbons will find some way of carrying it to Jack."

"S'pose he never heerd of him."

"That will end the business so far as I am concerned."

At that moment, through the stillness of the room, Merle heard a peculiar whistle coming from the depth of the surrounding forest. The silent man instantly rose to his feet and passed out of the door. Outside, he answered the signal, and then all was still. Since the one who remained behind wished to listen, Merle did not speak, but also listened.

Some five or ten minutes later, the murmur of voices was audible. Somebody had come out of the woods and was talking with the man who had passed out of the cabin and answered his signal. Then the latch-string was twitched and Tom Gibbons followed the other inside, tak-

ing a chair near the door, where he was dimly revealed by the firelight.

Merle knew on the instant that it was Gibbons. He was tall, well-formed, with slouch hat, his upper body protected by nothing except a heavy blue flannel shirt, his trousers stuffed in his boot-tops, with a cartridge-belt about his waist, and a revolver at his hip. He did not carry any large firearms, though the Gibbons gang was credited with making use of Winchester's whenever the occasion called for them.

The face of Gibbons was covered with luxuriant black whiskers, which reached almost to his eyes. Looking into the countenance about all that one saw beside the jet beard was the bright orbs peering over the top, as if some wild animal was looking for its prey to come a little nigher.

With the easy manner of a man receiving a guest, Gibbons said:

"I'm told that you bear a message to a man named Jack Ashland."

"You have been correctly informed," replied Merle.

"I have met him in this part of the State, and will try to find him again for you."

"Thanks; I hope there will be as little delay as possible, for the word I bring is of much importance to him."

Gibbons turned and looked at each of his comrades. As he did so, he nodded. They understood, and both rising to their feet, passed out of the door without a word. Gibbons also rose, and reaching out, deftly drew in the latch-string. He and Merle Burton were now alone, and safe from interruption.

"You can give your message to me and it will reach Ashland."

"That will be contrary to my instructions: what I have to say to him must be heard by no one else, and it must be delivered quickly, or it will be too late."

"What do you mean by that?"

"When I last saw his mother — only a week or two ago — she looked as if she had not long to live."

The grim form by the door gave a slight start, and demanded:

"What is the trouble with her?"

"She is pining for a sight of her only son before she dies. You see the necessity of urgent haste in the matter."

"Are you a detective, who has come to Arkville to secure the arrest of Gibbons and his friends?" abruptly asked the leader of the band.

"I am not; my main object is to repeat to young Ashland the words his father asked me to repeat."

"How do you expect to bring about a meeting with Ashland?"

"He himself has arranged that; Jack Ashland is in this room, and I am now talking with him."

From the moment Gibbons came through the door, Merle suspected that, despite his big whiskers and assumed name, he was the son of the President of the P. Q. & G. The start caused by the words regarding the young man's mother confirmed this suspicion.

"You may as well remove that heavy beard, Jack," added Merle, with a slight laugh; "there is no occasion for trying to hide your identity from me."

He who had been known as Gibbons raised his hands to his face and made a few deft movements. When he lowered the hands again to his lap, the luxuriant whiskers came with them,

only a handsome mustache remaining. He took up his chair and carried it forward toward the crackling blaze on the hearth. As he set it down beside that of Merle, he said, with a forced smile:

“Well, here is Jack Ashland: now what have you to say to him?”

## CHAPTER XX

### TO THE RIGHT OR THE LEFT?

It was early in the forenoon of the day which we have seen draw to a close that President Ashland rode to his office in Chicago at the usual hour and went up to his office by the elevator. He was nervous and depressed. He had received a telegram delivered late the night before, from Jo Judkins, telling him that Merle Burton had just reached Arkville, but there was not likely to be anything to report for a day or two.

The railway magnate felt that a crisis was at hand. He could not tell why, and in his disturbed, apprehensive state he was unable to reason with his usual clearness. He was leaning upon the vigorous, cool-headed Merle Burton. If he could not save the only son hovering on the brink, then the blow must fall, — a blow that would crush father, mother, and sister. All that the distressed parent could do was to pray and wait.

About the middle of the forenoon, while he was forcing himself to attend to the business that was always crowding upon him, one of the waiting boys in attendance brought in a telegram, which he mechanically opened, for he often received scores of such messages during the day. These were the words, which he read with a rapidly beating heart:

"Your man Burton has just fallen into our hands. You would not have sent him here, unless you held him at a pretty high figure. If you will send five thousand dollars in bills addressed to your agent Judkins, the package so marked that there can be no mistake, Burton will be allowed to go back to his friends, who had better keep him away from Arkville. Unnecessary delay or any attempt to get the better of us and it will be 'good by, Mr. Burton.'

"T. G."

Attached to these words were a few from Jo Judkins himself:

"Send the money package to me without delay. Make no other move. The end is near."

President Ashland held the yellow slip in his hand for a few minutes, thoughtfully rubbing his chin. Then in his crisp manner he quickly arranged for the withdrawal of fifty new one-hundred dollar bills from the bank. These were placed in a neat, compact package, properly sealed, addressed, and delivered to the express agent in Chicago, who receipted for the same, and sent the valuable enclosure on its way to the lonely station of Arkville in the Southwest. And all this took place within two hours after the reception of the telegram by President Ashland.

Now, you will notice that this telegraphic demand was made upon the railway magnate on the forenoon of the first day spent by Merle Burton in and near Arkville and before he had walked down the railway to call upon Captain Archie Gorham. The telegram, however, merely anticipated events by a few hours. Tom Gibbons (Jack Ashland himself) received his report from his lieutenants while Merle was reading Judkins' letter in his bedchamber. The leader of the band saw that there was no escape for Burton; he could gather him in whenever he chose to reach out his hand. The young man's



walk to Dakamo really invited his capture, and everything was arranged as it was carried out. The two assistants detailed to bring in Burton could have done so when he first started down the railway, but it was deemed best to take him during darkness, and when he was far enough from the home of Captain Gorham to prevent any interference by the latter.

Jack Ashland planned the kidnapping of Merle Burton for no other purpose than that of forcing his father to pay a ransom for him. He knew it would be done without any attempt to call in the help of the law to outwit the abductors. Such an attempt would have defeated the supreme wish of the parent, which was to save his son, while it was possible to do so.

Two facts should be stated at this point: not once had President Ashland suspected that Jack was masquerading under the name of Tom Gibbons. It would have crushed him had he known the truth, and the cause so close to his heart would not have been helped. Jo Judkins had suspected it almost from the first, but he took good care that nothing of the kind should be hinted to the president.

Suppose President Ashland had refused to pay the ransom, what would have been the consequences to Merle Burton? Would the threat conveyed in the telegram have been carried out? No; Merle would have been subjected to many annoyances, and the threats and bluffs would have been repeated, but not a hair of his head would have been harmed, and eventually he would have gone back to his friends with only an interesting story to tell. This statement should be given in justice to the wild youth who called himself "Tom Gibbons," for it is made upon unquestionable authority. Jack was morally certain that the money would be promptly forwarded and that the secret would be told to no one else in Chicago. Jo Judkins of necessity must be let in, but he did not count. And yet this man was a detective in the personal employ of President Ashland, and he had been waiting for weeks at Arkville for an opening.

This much explained, let us return to the cabin in the woods, where we left Merle Burton face to face with Jack Ashland, who had thrown aside his disguise. The meeting which our young friend had been seeking was brought

about, though the circumstances were different from what he anticipated.

Merle had been given plenty of time in which to formulate what he had to say and he spoke to the point:

"As I told you a few minutes ago, I spent an evening at your home only two or three weeks since. No one could have received kinder hospitality than I. Your mother roused herself to meet me at dinner, but was obliged to retire to her room directly afterward. I knew that some shadow rested on that threshold and that she was wearing her life away. Your sister because of her youth is stronger, but she is unspeakably depressed, while your father is aging fast. He is so heart-broken, that some time later when we were alone, he told me everything. It is *you* who are responsible for all this. You are naturally kind and affectionate, and he asked me to seek you out, tell you the truth, assure you of his forgiveness, and beg you to forsake your evil ways and come to those who are waiting to receive you with open arms.

"Before you left your home in your anger, you forged the name of your father for a con-

siderable amount of money, but he has arranged that so it can cause you no trouble. You have nothing to fear from the law at home, provided you resolve to be the man God intended you to be."

Merle paused, but Jack did not move. He was leaning back in his chair with his arms crossed and his dark eyes fixed on the face of the speaker. Merle continued:

"I came to Arkville as the representative of the P. Q. & G., and in the brief time have done a little work for them, but my real errand was to search you out and deliver my message. I have done so; it only remains for you to decide whether you shall pull up, make a sharp turn to the right, become a useful citizen, bring back sunshine, happiness and life to that mourning home, or persist in your evil courses, send your sister and parents in sorrow to the grave, and die the disgraceful death that is as sure to be your portion as is the sun to rise in the heavens."

Merle returned the gaze of Jack Ashland. He saw the shine of tears on his cheeks; the prodigal's heart had been touched. Merle reached out his hand and laid it on his shoulder.

"What do you say, Jack? You have come to the parting of the ways; you must make your turn to the right or go on to the left."

Instead of replying directly Jack asked, in a low, tremulous voice:

"How is this last business to be fixed up so that it will be safe for me to do what you ask?"

"I assume that you are willing to trust me fully?"

"I am," replied Jack with a nod of his head.

"You came to Arkville several months ago; tell me all you have done,—that is, to what extent you have broken the laws of your country."

"Well, in the first place, it is not so bad as you and many believe. The two men who took you from the train are the only ones who are associated with me. There is another party, which numbers seven, whose tramping ground is farther to the west. They are the ones who have held up several trains and their leader has taken human life; we have done neither."

"It is an unspeakable relief to hear you say that, but how is it they claim to belong to Tom Gibbons' party?"

"When I came here, I picked up the couple

in Arkville. They are poor; I had plenty of money, and won them over by spending a good deal upon them. The one who came out in answer to my signal lived in this house with his father and sister; he sent them to Arkville, I seeing that they were provided with the means. We take our meals at the home of the other, which is not far off in the woods, but this is our headquarters."

"But why did you follow this singular course, and is there any connection between you and the other party?"

"None whatever; I took the name of Tom Gibbons; I swaggered a good deal and made a bluff of doing many things which I never did. The leader of the main band took pains to make it appear that we are associated, but as I have said we are not. They have made overtures to me, but all have been refused. Neither I nor my associates have done a thing for which the law can punish us, when the full truth becomes known, except this last affair in which you are concerned."

"Thank Heaven for that assurance; now, Jack, tell me what scheme you have in mind that affects me."

"You have been kidnapped; I sent a telegram to-day to my father, saying you were in our power—I knew you would be in a few hours—and threatening that if he failed to send a ransom of five thousand dollars, harm would be done you; the money will be here, that is in Arkville, by to-morrow night."

For the first time Merle smiled.

"You and your father set a pretty good value on me; well, suppose you received the money and I had no message to deliver, what would have followed my being set at liberty?"

"I haven't thought beyond that; the money would have kept me going for awhile, and in the meantime, I expected some overture from the Governor and held myself ready to make terms with him. I didn't expect the offer would come so soon, nor," added Jack in a broken voice, "that it would be what it is."

"I have been truthful in all I said. Is your appetite for strong drink the cause of your wrong doing?"

"No; strange as it may sound to you, I have never particularly cared for liquor, but I have rebelled at the monotony of parental discipline, of school and college regulations, and the grind

of office work. In the midst of study or toil, the thought would flash upon me that the world is overflowing with the means of pleasure, and something like revolt would arise against my father that he was depriving me of my share. I know he is very wealthy and has no tastes for such things. Then I would make a break,—drink, become reckless and make an utter fool of myself. In one of those desperate moods, I filled up with whiskey, and the more I drank the bigger grew the devil inside of me. I drew a good pile of money from the bank on his forged checks, and then, with no clear idea of what I would do next, I started for this part of the country, because it was lonely, and by attaching two faithful hirelings, I felt pretty safe from the law. There you have the truth in a nutshell.”

“And what do you think of it yourself?”

“There is only the one thing to think: my conclusion is the same as yours.”

“And are you going home?”

“Shall I be in time to see mother?”

“I have no doubt of it; she may linger for a few weeks; your coming will probably bring back her strength. It will surely bring back



her happiness as well as that of your father and sister."

"I must find some way of seeing them; I don't know what will next follow."

Merle Burton now drove the truth home with all the power at his command. He vividly pictured the awful mistake Jack Ashland had made, and his inevitable end, unless he stopped short and forever in his evil courses.

"The love which you bear your parents and sister is not sufficient of itself; grief over affliction does not bring the radical change in one's nature which is necessary to save him. You must realize that you have offended God; you must ask *his* pardon before that of your parents; you must go down on your knees and not rise till you have the assurance of his forgiveness. If you wish it, I will joyfully help, but the real work can be done by none except yourself; you are the offender; you must beg for pardon and ask God to sustain you in the new life; He will do it, for He never turns his ear from the true penitent."

There was nothing more for Merle to say. He had laid the case before Jack Ashland and

the issue rested with him. Merle turned and looked into the dying embers on the hearth and waited. In the solemn stillness he heard the rustle made by one of the coals as it fell apart, and the soft cool night wind as it stirred the boughs of the trees outside. Finally, Jack Ashland said in a voice so low that, had the silence been less profound, it would not have been heard:

“Will you pray for me?”

And the two sank upon their knees.

## CHAPTER XXI

### THE "ROAD TO DAMASCUS"

WHEN they rose, Jack Ashland said:

"You are about two miles from Arkville; it will be pleasanter for you to spend the remainder of the night there; I will show you the way, for it is not very late."

"I shall be glad to stay here in the cabin with you."

"Your offer is appreciated, but it is not necessary; you told me the truth. I must tread the wine-press alone; you have given me help and have brought me to see the truth as I never saw it before; it is my wish that I be left alone."

Merle could make no objection, and, first pushing the latch-string through the orifice in the door, Jack Ashland led the way into the gloom outside. He took the path over which his visitor had passed earlier in the evening and soon reached the railway.

"You cannot miss your way and you will get

better accommodations at the Metropolitan than I can give you; telegraph in the morning to father that I will follow you within twenty-four hours; that will set their minds at rest at home, and then you can tell them the particulars when you meet them face to face. Good-by!"

That man is wise who knows when to be mute as well as to speak. Merle shook the hand of Jack Ashland and each went his way. A brisk walk brought our young friend to the hotel where he had spent the previous night. The day had been quite cool, though clear, and a few sticks were burning on the broad hearth. Several men were smoking and chatting and Merle saw the one for whom he was looking.

"Hello, Judkins, can you send off a telegram for me?"

"It is past hours," said the other, who was plainly astonished at being addressed in this manner.

"What of it?" asked the happy Merle; "you're after a tip and I'll give it to you."

"That's business; I'm your man."

As the two walked through the gloom side by side, the agent asked:

"What's the meaning of this rashness?"

"There's no rashness about it; Tom Gibbons, or rather Jack Ashland, piloted me part of the way here and asked me to send the telegram to his father."

"Well, I'll be hanged!" muttered the amazed agent, who led the way into the station, lit the lamps and asked Merle to step behind the railing with him. At this late hour they were not likely to be interrupted, and Merle told his story, omitting the most personal portions.

Judkins listened with open mouthed wonder, for much of it was new to him.

"I don't doubt that Ashland told you nothing but the truth; we can depend upon every word he said; it clears up several things that I never understood."

"Explain."

"It was so clear to me that Gibbons' gang was operating at rather widely separated points, that I decided the division was a part of his method; I supposed they came together when a big strike was to be made, like the holdup of a railway train, but I couldn't understand how it was that I never saw anybody except Ashland and his two associates in Arkville. Of course I have known who these two were for some time

past, and I recognized them at the hotel last night. That explains why I took so much pains to draw you out as to your plans; they were there for the purpose of watching you and they reported to Ashland before he went to bed."

"You said nothing about it in your note which you shoved under my hat band."

"Nothing was to be gained by that; remember I hadn't learned how much nerve you carry with you, and I wrote my note in the office here before I knew the two would be at the hotel. They are a good deal keener witted than you would suspect."

"Jack sent a message to his father this forenoon."

"Yes; did he explain its purport?"

"I don't think he kept anything back; it was a demand for five thousand dollars as a ransom for me."

"True and the money is on its way; it will be in his hands some time to-morrow; I shall turn it over to him per agreement, but it's a queer mixup. You are going back?"

"On the first train up to-morrow; do you think Jack is in any danger of arrest or molestation when he leaves by the same route?"

"There may be some cause for fear."

"From whom?"

"The two men whom he leaves behind; they will resent being abandoned after placing themselves in such an awkward situation."

"They did it for hire; nothing criminal can be proved against them, and Jack will compensate both so liberally that they will be fully satisfied."

"If anything is attempted after Jack leaves here, it will be through telegrams from this office, and I think I can manage *that* part," said Jo with a significant wink.

"That other gang is an ugly one," continued the agent, "and Ashland could not have maintained his peculiar position much longer; the two must have coalesced or fought each other; it wouldn't have done for Ashland to wait many days longer before pulling out."

"None understands that better than himself; he will follow me quickly to Chicago."

"From what you have told me, this escapade of Jack Ashland was really a fit of sulks. He was angered at his father and came down here and made him believe he had become a member

of a band of outlaws, when, as a matter of fact, he had nothing to do with the real gang."

"You are correct; I believe him when he says that the only time they broke the law was yesterday when they kidnapped me."

"As I said, this explanation makes clear many things which puzzled me. In other words Jack pretended to be a 'bad man,' when he was not."

"And you warned me in your note to keep away from the window of my bedroom," said Merle with a smile.

"And I meant it, but you were in no more danger from him than from me."

Two nights later a cab drove up to the Union station in Chicago and Merle Burton sprang therefrom and hurried inside to the waiting-room. He had gone in answer to a telegram from Jo Judkins, sent at the request of Jack Ashland, asking him to meet the latter on the train from Baldmount Junction, due at eight o'clock that evening. This dispatch had been received early enough in the day for Merle to call at the office of President Ashland and make known the glad news. He had already seen the father, whose face brightened wonderfully over the report of the young man. An unbearable



load was lifted from that heavy heart, and as soon as he understood the blessed import of the tidings, he telephoned to his wife and daughter, whose happiness overflowed. Merle could not believe there was a possibility of disappointment, and he kept nothing back from the thankful parent, who, as he clasped his hand in parting, said in a broken voice:

"My dear boy, I shall not attempt to express my gratitude, for I cannot."

"Please make no reference to it, and say to Mrs. Ashland and your daughter that the greatest kindness they can do me is to be silent. I know how you all feel,—and that's enough. Jack has been saved; he was on the brink of the precipice, but God has drawn him back, and that's all there is to it."

It was later in the day that Merle called to tell President Ashland about the message he had received from Arkville.

"His train is due at eight o'clock this evening."

"I will have my carriage there."

"Permit me to suggest that I meet him alone in a cab; he has many acquaintances in Chicago and your waiting carriage might draw attention

to Jack. I know he would prefer to come quietly and he has asked that I meet him."

"You need not suggest," replied the father, so nervously happy that he could not sit still, but walked up and down, and here and there in his office; "you are the only one who has shown a gleam of sense in this business; when you have any views, therefore, please *command*."

"What, me, an assistant counsel of the great P. Q. & G. issue orders to its president!"

And Merle smilingly shook his head in protest.

"You shall be a good deal more than that before you are much older."

This was the only hint ever uttered by any member of the Ashland family in the nature of a reward to Merle Burton for his inestimable service. All were too fine grained to humiliate him by anything of that nature. The young man could not object to what had just been said by the president, but he ignored it.

"I shall meet Jack as I proposed and as he wishes; if you please, you will go home and with your wife and daughter await his coming."

"And yours also?"

Merle gravely shook his head.

"There will be no room for intruders. As the boys say, 'I will see you later.'"

The train was on time, and a few minutes past eight, a tall handsome young man came through the door of the waiting-room of the Union Station, glancing hastily around as if in search of some one. He was well dressed, and carried a new suit-case. No one not knowing the facts would have found it possible to believe that he was the big whiskered Tom Gibbons, long believed to be at the head of a band of outlaws.

"Hello, Jack!"

"Hello, Merle!"

Their hands met, Jack slapped the other familiarly on the shoulder, and side by side they hustled out of the huge building, like two brothers meeting for the first time in years.

Merle had previously instructed the cabman to drive — not too rapidly, for he had something to say on the way — to the aristocratic home of President Ashland. As the cab rolled smoothly along on its rubber tires, Jack asked anxiously:

"How are they at home?"

"Gratefully happy beyond the power of words to tell."

"And mother and Alice?"

"From the moment of their receiving the good tidings their improvement has been so rapid that they may be said to be fully well."

It cannot be said that Merle spoke from actual knowledge, but he was none the less positive in his statement. He knew he was right.

"Thank God!" exclaimed Jack fervently, but in so low a voice that his companion barely heard the expression.

"Jack, you and I parted company at the railway track the other night; tell me what took place afterward."

"Well, I started to go back to the log house, but had not quite reached it when God struck me down."

The glare of a street lamp shone on the glowing face, as Merle looked at it in wonderment.

"What do you mean?"

"The truth; I was stricken down like the apostle on the road to Damascus; my knees gave way and all that I could do was to cry out in agony: 'Lord, be merciful to me a sinner!' I have no idea how long I knelt there in the woods at night and wrestled with the angel, and would

not let him go till he blessed me. It must have been an hour and then my power of walking came back, and I rose to my feet, and *it was all right!*"

"I understand," said Merle, speaking with difficulty; "there is only One who can work that marvelous change in a human being, and He did it with you."

"There's no mistake about it."

"And remember, my dear fellow, that though the change is clear and complete, it does not destroy temptation. That will come to you again, but by prayer and a firm reliance on the One whose ear is never closed to the appeal of the penitent, you will be given grace to overcome it all."

"I cannot doubt it."

Enough had been said and Merle wisely changed the line of conversation.

"How did you fix it with your two hired men?"

"I got a certain package by express," replied Jack with a whimsical chuckle; "I took out a thousand dollars and gave half to one and half to the other under their pledge to go back to work and to remain law abiding moral citizens."

It was more money than either had ever seen and they jumped at the chance; I don't think the Governor will object."

"Not if it had been ten times as much, — ah! here we are."

The cab drew up at the pavement and Jack, who sat next, turned the handle and pushed open the door.

"You are not coming with me?" he asked in astonishment, seeing that Merle made no move.

"Not to-night; I'll see you again before I go home; all right, driver!"

Before Jack could protest again, the horse started, the cab whirled about and sped away for the Palmer House.

Suit-case in hand, Jack Ashland walked briskly up the graveled walk amid the flowers and shrubbery, with which he was familiar, and skipped upon the steps with his old-time elasticity.

In the act of reaching out his hand to touch the electric bell, the door was drawn inward. There stood a trembling gray haired man, a mother with silver strands in her hair, and a

radiant, glowing daughter, all with arms outstretched.

But only the angels of heaven have the right to look upon the picture beyond the threshold.

## CHAPTER XXII

### A GREAT SECRET

A YEAR has passed since the incidents related in the last chapters, and let us take a parting glance at those who have played a more or less prominent part therein.

Jack Disbrow is still running the Eastern Express between Dorpville and Quinton, and to look at him you would not say he was a day older than when he sat in the witness box and by his testimony ensured a verdict for William Tompkins, who has fully recovered from his broken limb and is happily married to the young woman who indirectly was the cause of accident. Jack is the same blunt, aggressive Christian that he will be to the end of his life. He and his wife Molly have made the promised visit to "Hugh," as he will always call the president of the P. Q. & G. That visit will always be memorable, because of the cordiality of his namesake, Jack Ashland. When the young man was



a student at Dorpville College, he had little or nothing to do with the grizzly engineer, for, truth to tell, he was not proud of him, and Disbrow was too independent to force his company upon any one. But now all was changed. Young Jack took charge of the elder Jack and his wife, and gave them the time of their lives. Every day was spent in sight seeing, in rides and excursions, until the engineer declared that he would be ruined in body unless he hurried home. When the time came for him to return, and the couple bade their hosts good-by, the father, the mother and daughter Alice, as well as the son, made both promise to come again on a certain occasion, of which more anon.

"We shall be here if we're alive," were the parting words of Jack Disbrow.

The latter never received a hint of the escapade of the son of the president. The knowledge would have caused him pain, and his temperament was such that he never would have fully understood all its bearings. The best of men are sometimes untactful and uncharitable toward the weaknesses of others.

As has been already said, the P. Q. & G. won its charter at the second session of the State

legislature, following the opening effort in that direction. Our old friend Captain Archie Gorham was elected a third time and was proud that he took a part therein. He was so pleased that he permitted Merle to pay for the window sash and panes that had been ruined by the dive which one of the agents of the O. & T. made through it. Merle ventured to send a rather liberal expression of the cost of the damages, and in return received the surplus through the mail with a curt note from the Captain that he needn't "try anything of that sort," whatever the words might mean, and Merle was pretty sure he knew what they meant.

During the year named, Jack Ashland found that he had builded upon rock. He admitted to Merle that once or twice something in the nature of temptation came to him.

"It was a vague longing to break away and kick over the traces, but it lasted only a few minutes; then I blushed with shame that I had allowed the thought to enter my mind, and bent to work harder than ever, and found a pleasure in it that I could not have believed possible until it came to me."

"You were genuinely converted, Jack; you have connected yourself with the church and become a worker therein."

"What's the sense of a man professing a belief unless he proves it by his acts and life?" demanded young Ashland; "I may truly say that I never knew what real happiness is until I made my peace with God; nothing can shake that."

"Because it is the eternal truth."

Six months after the return of Merle Burton from Arkville, he was notified of his appointment as Chief Solicitor of the P. Q. & G. in the Eastern District. This placed him above Mr. Gilbert and carried with it an annual salary of ten thousand dollars. He was by many years the youngest lawyer who had ever received such an honor. The modest fellow could not believe it was given to him solely on his merits, but on the other hand, neither could he protest nor assert the contrary. So he gratefully accepted the appointment, which at the present writing he holds and is likely to hold for an indefinite time to come.

Algernon Raymond threw himself into the

first struggle for winning the charter for the connecting branch of the P. Q. & G. line. He worked with might and main, but was always under the orders of superiors. Despite this, he ran away from his instructions, and in his anxiety to win the vote of a legislator, walked straight into a trap set for him. He deliberately overheard the conversation, but one of them, for his vote, never dreaming that two witnesses were standing behind a screen, and not only overheard the conversation, but one of them, who was a stenographer, took down every word. Algernon received warning just in time to escape from the State. There is little doubt that this incident had not a little to do with the first defeat of the charter. The O. & T. were equally unscrupulous, but their agents were more cunning and knew how to cover their tracks. As a consequence, Algernon did not figure in the next campaign which brought victory to the P. Q. & G.

Merle Burton's new appointment did not require him to remove from Dorpville. He still made his home with his parents and he and Algernon met almost daily. Despite the marked

differences in their dispositions, tastes and principles, a certain friendship existed between the young lawyers, whose careers so often mingled and crossed.

One afternoon Algernon burst into the office of Merle, his face aglow with pleasurable excitement. With the freedom of a lifelong friend, he closed the door behind him and drew up his chair beside that of Merle.

"Want to have a little chat with you, old chap; are we alone?"

"Always glad to see you, Pugsy; you know I respect your confidence; say what you choose, and no one shall disturb us till you're through."

"I'm going to get married!"

"Good! I am glad to hear it; when?"

"Day hasn't been fixed yet; I shall leave it to her; think it will be some time the coming winter; don't you congratulate me?"

"With all my heart, and her too. I'm sure you couldn't do a wiser thing."

"I haven't told you her name; guess!"

Merle bent his head in thought and then gravely shook it.

"I couldn't do it to save my life; you have

always been such a favorite with the other sex, that I'm all at sea."

"Prepare to be surprised."

"I am."

"Alice Ashland, daughter of President Ashland," replied Algernon, twirling the ends of his mustache. A queer expression lit the face of Merle Burton. He quietly asked:

"When was the engagement made?"

"Well, it hasn't been settled yet; fact is I haven't asked Alice."

"Then why are you so positive?"

"Ah, old chap, I understand 'em too well to be mistaken; I know the signs."

"You feel no doubt of her sentiments?"

"Not a particle; I'm too old a bird to be mistaken; I was struck with her the first time I met her six or eight months ago, when in Chicago. You know me so well that you'll allow me to say that I made an impression on her from the first; her father's a millionaire, isn't he?"

"Certainly. Was that what influenced you to urge your suit?"

"Not a bit, though I couldn't forget the fact. Better still, he is president of the P. Q. & G.

When he has me for a son-in-law, he'll be sure to take care of me."

"Beyond a doubt."

"I shall have an appointment bigger than yours."

"And I shall be the first to congratulate you."

"Just like you! You always were my best friend; say, old fellow, I'm going to ask you to be the best man at my wedding."

"That is very kind; odd, isn't it, that I meant to ask you to do me the same favor."

"What! are *you* going to be married?"

"I am engaged, and the date has been fixed for next Christmas."

"Great Cæsar! who is she?"

"Miss Alice Ashland, daughter of President Ashland."

Algernon stared into the smiling face of Merle, as if uncertain whether he had heard aright.

"Ain't joking, Merle?"

"Not in the least. Will you be my best man?"

"Gee! but this is sort of sudden; you must give me time to pull myself together."

"You sha'n't go out of this office till I have your promise."

"All right; I'll do it for you."

And Algernon kept his promise like a man.

**THE END.**



